For. Rel. 1887
vol I

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DEPARTMENT OF STATE
MAY 7 1887
RECEIVED.

No. 345.

Mr. Everett

Legation of the United States.

Peking April 1st 1887.

2D ASSISTANT SECRETARY.
Ack. 5 May 11 Conby
For Rels. 1887.
MAY 9 1887

Mr. Denby to the

Secretary of State.

Subject.

Enclosed copy of the agreement relating to opium traffic made by England with China.

One enclosure.

No 345.

Legation of the United States.
Peking April 1st 1887.

To the Honorable
Thomas F. Bayard,
Secretary of State,
Washington, D.C.

Sir:

I have the honor to enclose herewith the basis of the agreement, relating to the opium traffic, arrived at by the Commission which met in Hongkong in June last, in pursuance of Article 7 Sec 3 of the agreement between Great Britain and China, signed at

at Chefoo on the 13th Sept. 1876, and of Sec. 9 of the additional article of the said agreement, signed at London on the 18th July 1885.

There were three plans proposed for the collection of the opium revenue for China.

First. The opium revenue should be collected for China by England in India. The Chinese Commissioners favored this plan because, by a system of deferred payments of duties in India, interference with capital would be avoided and

and, by freeing opium from taxation in China, smuggling would be avoided.

Second. That China should do her own work, that is collect her own revenue on Chinese territory and take her own preventive steps all along the Chinese sea-board.

Third. The Hulk Plan, which was between the other two. Opium hulks were to be anchored at Hongkong. Every vessel carrying opium was, on entering the harbor, to go alongside of one of these hulks. The opium was to be discharged into a

hulk

hulk. Opium leaving a hulk to go to Macao was to pay duty and lekin before it left port.

Opium to be taken to Kongkong, and not to Customs Godown, to pay duty and lekin in like manner.

Opium leaving a hulk to be taken to a Chinese Treaty Port by vessels under the flag of a Treaty Power, or belonging to the China Merchants Company, to pay duty and lekin at the Treaty Port. Certificates to be issued by the hulk officials describing the nature and quality of

the

the opium.

Under the enclosed agreement, which was finally arrived at, China collects the duties at her own ports and the rights of Hongkong are protected.

I have the honor to be,

Sir,

Your obedient servant,

Charles Denby

Enclosure.

1. Agreement, relating to collection of duty on opium, between Hongkong & China.

Enclosure 1 in No. 345.

Memorandum of the basis of Agreement arrived at after discussion between Mr. James Russell, Puisne Judge of Hongkong; Sir Robert Hart, K.C.M.G., Inspector-General of Customs, and Shao Taotai, Joint Commissioners for China; and Mr. Byron Brenan, Her Majesty's Consul at Tientsin, in pursuance of Article 7, Section III. of the Agreement between Great Britain and China, signed at Chefoo on the 13th September, 1876, and of Section 9 of the Additional Article to the said Agreements, signed at London on the 18th July, 1885.

Mr. Russell undertakes that the Government of Hongkong shall submit to the Legislative Council an Ordinance for the regulation of the trade of the Colony in Raw Opium, subject to conditions hereinafter set forth and providing:—

1.—For the prohibition of the import and export of Opium in quantities less than one chest.

2.—For rendering illegal the possession of Raw Opium, its, custody or control in quantities less than one chest except by the Opium Farmer.

3.—That all Opium arriving in the Colony be reported to the Harbour Master, and that no Opium shall be transhipped, landed, stored, or moved from one store to another, or re-exported without a permit from the Harbour Master and notice to the Opium Farmer.

4.—For the keeping by Importers, Exporters, and Godown Owners in such form as the Governor may require, books shewing the movement of Opium.

5.—For taking stock of quantities in the stores, and search for deficiencies by the Opium Farmer, and for furnishing to the Harbour Master returns of stocks.

6.—For amendment of Harbour Regulations as to the night clearances of junks.

The conditions on which it is agreed to submit the Ordinance, are:—

1.—That China arranges with Macao for the adoption of equivalent measures.

2.—That the Hongkong Government shall be entitled to repeal the Ordinance if it be found to be injurious to the Revenue or to the legitimate trade of the Colony.

3.—That an Office under the Foreign Inspectorate shall be established on Chinese Territory at a convenient spot on the Kowloon side for sale of Chinese Opium Duty Certificates, which shall be freely sold to all comers, and for such quantities of Opium as they may require.

4.—That Opium accompanied by such certificates, at the rate of not more than Tls. 110 per picul, shall be free from all further imposts of every sort, and have all the benefits stipulated for by the Additional Article on behalf of Opium, on which duty has been paid at one of the ports of China, and that it may be made up in sealed parcels at the option of the purchaser.

5.—That junks trading between Chinese ports and Hongkong, and their cargoes, shall not be subject to any dues or duties in excess of those leviable on junks and their cargoes, trading between Chinese ports and Macao, and that no dues whatsoever shall be demanded from junks coming to Hongkong from ports in China or proceeding from Hongkong to ports in China, over and above the dues paid or payable at the ports of clearance or destination.

6.—That the Officer of the Foreign Inspectorate, who will be responsible for the management of the Kowloon Office, shall investigate and settle any complaints made by junks trading with Hongkong against the native Customs Revenue Stations or Cruisers in the neighbourhood and that the Governor of Hongkong, if he deems it advisable, shall be entitled to send a Hongkong Office to be present at and assist in the investigation and decision.

If however they do not agree a reference may be made to the Authorities at Peking for a joint decision.

Sir Robert Hart undertakes on behalf of himself and Shao Taotai (who was compelled by unavoidable circumstances to leave before the sittings of the Commission were terminated) that the Chinese Government shall agree to the above conditions.

The undersigned are of opinion that if these arrangements are fully carried out, a fairly satisfactory solution of the questions connected with the so-called "Hongkong Blockade" will have been arrived at.

Signed in triplicate at Hongkong, this 11th day of September, 1886.

(Signed), J. RUSSELL,
Puisne Judge of Hongkong.

(Signed), ROBERT HART,
Inspector-General of Customs, China.

(Signed), BYRON BRENAN,
H. B. M.'s Consul at Tientsin.

Shai "Courier"
Mar. 26th 1887.

Mr Everett

Separate. one enclosure.



Legation of the United States.
Peking, April 4th, 1887.

Wm. F. S. Cheshire
to the
Secretary of State
Subject.
Transmitting Salary
Account for Quarter
Ending 31st March
1887.

No. 1. One enclosure.

Legation of the United States.
Peking, April 4th, 1887.

Honorable Thomas F. Bayard.
Secretary of State.
Washington.

Sir:—

I have the honor to enclose a statement of my salary account for the quarter ending the 31st of March 1887.

I have the honor to be,
Sir,
Your obedient servant
J. D. Chesebro
Interpreter of Legation.

Enclosure 1.
Statement as above.

Mr Everitt



No 346. One enclosure

Legation of the United States.
Peking, April 4th, 1887.

Mr. Charles Denby.
to the
Secretary of State
Subject
Transmitting Secretary
Account for 1st
quarter 1887.

No 346. One enclosure.

Legation of the United States.
Peking, April 4th, 1887.

Honorable Thomas F. Bayard.
Secretary of State.
Washington.

Sir:—

I have the honor to
enclose herewith my account for
salary for quarter ending
March 31st, 1887.

1/346

I have the honor to be,
Sir,
Your Obedient Servant
Charles Denby

Enclosure 1.
Account as above

DEPARTMENT OF STATE
MAY 18 1887
RECEIVED.

Mr Everett

No 347. One enclosure.

Legation of the United States.
Peking, April 4th, 1887.

Mr. Charles Denby.
to the
Secretary of State
Subject
Transmitting Rent Account
for 1st Quarter 1887.

No 347. One enclosure.

Legation of the United States.
Peking, April 4th, 1887.

Honorable Thomas F Bayard.
Secretary of State
Washington.

Sir:—

I have the honor
to enclose a statement of
1/347. the Rent Account of this
legation for the Quarter ending
March 31st 1887.

I have the honor to be,
Sir,
Your Obedient Servant
Charles Denby

Enclosure 1.
Statement as above.

ASSISTANT SECRETARY.
Rec'd by Mr Hale
MAY 21 1887
Copies for F.R. 1887

DEPARTMENT OF STATE
MAY 18 1887
RECEIVED.

No. 348

Mr Everett
19

Legation of the United States.

Peking April 5th 1887.

Mr. Denby to the

Secretary of State.

Subject

Authorization by Emperor of Taku-Tientsin railway

Synopsis.

Emperor grants receipt to the memorial of Board of Admiralty authorizing construction of Taku-Tientsin railway. Contract entrusted to Kaiping Railway Company.

One enclosure.

No. 348.

Legation of the United States.

Peking April 5th 1887.

To the Honorable

Thomas F. Bayard

Secretary of State

Washington, D. C.

Sir:

I have the honor to

1/348 enclose herewith a copy of

of the decree authorizing

the building of a railway

from Taku to Tientsin. The

decree is based on a memorial

of the Board of Admiralty. It

recites that the Seventh Prince,

Li Hung Chang and Marquis

Tseng all favor the construction

of

of the road.

The chief reason assigned is the facility of moving troops.

To the Kaiping Railway Company is assigned the contract and authority to build the road. The reason of this preference is the securing of coal for the fleet.

As I have advised you an effort was made to consolidate this company with the syndicate represented by Gen. Wilson. It seems from this memorial that this scheme failed. The Kaiping Railway Company has already advertised

for

for 2000 tons of rails and fastenings to be delivered at Taku ninety days after June 15th next.

I have the honor to be,

Sir,

Your obedient servant,

Charles Denby

Enclosure

1. Memorial from Board of Admiralty on Railways, Ex. Tientsin Times Apl. 2nd 1887.

Enclosure 1 in No. 348.

Memorial from the Board of Admiralty.

A Memorial [illegible] jointly submitted by the Provincial Authorities of Chihli, proposing the construction of a railway from Yen-chuang to Tientsin, and requesting the appointment of Shên Pao-ching and Chow Fu to undertake the management of the affair.

be secured. It is further requested that a high official of unimpeachable integrity may be appointed to undertake the supreme administration.

This joint petition was received by the memorialists.

The memorialists find that the railway proposed in the joint petition of the Salt Commissioner, the Taotai, and the officers of the garrisons, which would run from Yen-chuang to the north bank of the river at Taku, a distance of more than 80 li, would lie mostly at the back of Taku and Pei-t'ang, some tens of li from the sea shore; and there is evidently no fear of its becoming the object of attack by the enemy, but funds will be necessary for its permanent maintenance. They therefore request that a line may be gradually constructed from Taku to Tientsin, 100 or more li, which may be relied upon as a means of obtaining the funds in question, and thus both military and commercial interests will derive an equal advantage. The country will be protected at ordinary times, and in special emergencies defensive measures will be facilitated. In case of defeat the rolling stock can be withdrawn, the line taken up, the military stores buried, and the advance of the enemy need not be feared.

The memorialists have attentively considered this petition, and they now request the scheme may be sanctioned. They beg that it may be entrusted to the Kaiping Railway Company, and that the former provincial treasurer of Fuhkien, Shên Pao-ching, whose services have been retained in connection with the Northern Squadron, and Chow Fu, acting Salt Commissioner, Superintendent of Customs at Tientsin, may be appointed conjointly to administer the affair, and direct the officials and merchants connected with it.

In the autumn of this year the new war vessels ordered from England and Germany should reach China, and next year the memorialist I-huan will proceed to the seaport, and with Li Hung-chang and his colleagues arrange for the formation of the first division of the navy. They can at the same time inspect the railway. If it is found to be useful and free from objections, they would suggest that similar plans be put into operation in the various mining districts of the country.

The memorialists venture to present this memorial to Her Majesty the Empress, being moved thereto by the necessity of the times and their desire for the welfare of the nation.

A memorial from the Board of Admiralty dated Kuang Hsü, 13th year, 2nd month, and 22nd day (15th March, 1887).

Rescript granted.

Railway Extension.

The Kaiping Railway Administration are to be congratulated on their having so far as they have gone been able to resist the pressure of the syndicates.

DEPARTMENT OF STATE
MAY 18 1887
RECEIVED

√

Mr Everitt
22

No 349.

Answ 25 June 87
Draft of F.R.M.

Legation of the United States.

Peking April 5th 1887.

Mr. Denby to the

Secretary of State.

Subject.

Some observations on the Report of Senator Edmunds on the Opium Bill.

Enclosure.

Reference to the mode of trying cases of trade in contraband goods. Citation of the rules governing such trials. Foreigners must be tried by their Consuls.

No. 349.

Legation of the United States.

Peking April 5th 1887.

To the Honorable

Thomas F. Bayard

Secretary of State

Washington, D.C.

Sir:

I desire to make a few observations on the report of Senator Edmunds, accompanying Senate Bill 3044, the Opium Bill.

The honorable Senator argues at some length that, under the treaties, the Chinese Government appears to have the right to deal exclusively

exclusively with any citizen of the United States who trades in any contraband article and that such citizen is not entitled to any countenance or protection from the United States.

This construction has never been admitted by the foreigners in China. The mode of procedure in cases of confiscation has long been settled in China. By reference to Message and Documents Department of State, 1867-1868, p. 449, you will see that the attention of the Secretary of State was called to this question.

Mr

Mr. Geo. F. Seward's dispatch,
therein alluded to, No. 64
to this Legation, of date
Aug. 30th 1866, contains a
draft of certain rules
proposed by Sir Thomas Wade.
In a book, entitled "Treaties
between the Empire of China
and Foreign Powers", edited
by William F. Mayers, published
in 1877, at page 216 are
found "Rules for joint
investigation in Cases of
Confiscation and Fine by
the Custom House Authorities,"
agreed to and promulgated
by the British Minister at
Peking, 31st May 1868.

Dr S. Wells Williams,

United

United States Chargé d'affaires ad interim, in his despatch No 17, of date July 2nd, 1868, announces that eight rules have been agreed on between Prince Kung and the foreign Ministers for the conduct of the joint Tribunal in cases of confiscation and fines for breach of revenue laws. These eight printed rules are an enclosure in that despatch. It would serve no good purpose to set out here an abstract thereof.

I state simply that these rules provide for a trial before the Consul of the

the foreign Power whose citizen is interested and an officer of the Customs, and for an appeal to the Minister and the Foreign Office.

In my opinion the general language, cited by Senator Edmunds, from Article 33 of the Treaty of 1844 and Article 14 of the Treaty of 1858 does not mean an abandonment of the right to try our citizens for trading in contraband articles; or the relinquishment of the sole right to inflict fine or imprisonment by due process of law. These Articles

mean

mean at most that the contraband property and the offending vessel may be confiscated. They ... ? permit an action in rem but not an action in personam.

Even that procedure cannot be had, under the rules cited, by the Chinese Government, without conference with the foreign consul. And, under the 6th rule, there can be no personal liability except on trial before the consul.

It follows that I will direct the consuls - unless otherwise ordered by you

you — to deny the right of the Chinese Government to try a citizen of the United States for an infraction of the Opium Bill, and in confiscation cases to be guided by the rules above mentioned.

I have the honor to be,

Sir,

Your obedient servant,

Charles Denby

Mr Everett

DEPARTMENT OF STATE
MAY 31 1887
RECEIVED.

No 350. one enclosure

Legation of the United States.
Peking, April 6th 1887.

Mr. Rhodes Dunlop.
to the
Secretary of State

Subject.
Transmitting Account
for Contingent Expenses
for Quarter Ending
March 31st, 1887.

No 350. one Enclosure.

Legation of the United States.
Peking, April 6th, 1887.

Honorable Thomas F. Bayard.
Secretary of State.
Washington

Sir:—

I have the honor to enclose
1/350. a statement of the account
for Contingent Expenses for the
Quarter Ending March 31st, 1887.

I have the honor to be
Sir,
Your obedient Servant.
Charles Denby

Enclosure 1.
Statement as above.

accepted by Mr Fish

Mr Everett
19

No 351.

DEPARTMENT OF STATE
MAY 18 1887
RECEIVED.

Legation of the United States.
Peking April 7th 1887.

Mr. Denby to the
Secretary of State

Subject
Leaves today tour inspection

No. 351.

Legation of the United States.
Peking April 7th 1887.

To the Honorable
Thomas F. Bayard
Secretary of State
Washington, D. C.

Sir:

I have the honor to inform you that, in accordance with the permission contained in your dispatch No. 114, of Oct 21st 1886, I will leave Peking today for a trip to Formosa.

The U. S. S. "Essex" will meet me at Shanghai the 23rd instant and will

convey

convey my Interpreter and myself.

My absence from Peking will be short.

I have the honor to be,

Sir,

Your obedient servant,

Charles Denby

He was fully instructed about this
His salary acct is held up until we hear from him

DEPARTMENT OF STATE
MAY 31 1887
RECEIVED

W. Loomis 31

Acknowledging copy Feby 4. 1889.
Depts No 951.
(Corrn Series) June 6. 1889.
Circular

Legation of the United States
Peking, April 12, 1887.

Mr. W. W. Rockhill
to the
Secretary of State

Subject
Reporting arrival at Peking

Legation of the United States,
Peking, April 12, 1887

The Honorable
Thomas F. Bayard
Secretary of State
Washington D.C

Sir,

I have the honor to inform you that I arrived at Peking on the 9th instant, and have resumed my duties as Secretary of this legation.

I will await your final instructions concerning my salary while in Korea and in transit before winding up my accounts.

I have

I have the honor to be

Sir,

Very respectfully,

Your obedient servant,

W. W. Rockhill

Mr Lovett

DEPARTMENT OF STATE
MAY 31 1887
RECEIVED.

Separate. One enclosure.

Legation of the United States.
Peking, April 14th, 1887.

Hon. F. D. Chesbro

to the

Secretary of State

Washington

transmitting Duplicate
Salary Account for
Quarter Ending March
31st, 1887.

Separate. one enclosure.

Legation of the United States.

Peking, April 14th 1887.

Honorable Thomas F. Bayard.

Secretary of State.

Washington

Sir.—

I have the honor to enclose
1/— duplicate statement of my salary
account for the quarter ending
March 31st, 1887.

I have the honor to be
Sir,
Your obedient servant
F. D. Chester

Enclosure 1.

Duplicate statement as above.

W. Everett

DEPARTMENT OF STATE
MAY 31 1887
RECEIVED.

Sep.

Legation of the United States.
Peking April 15th 1887.

Chas. Denby Jr. to the
Secretary of State.

Subject.
Duplicate salary account.

One enclosure.

Sep.

Legation of the United States.
Peking April 15th 1887.

To the Honorable
Thomas F. Bayard
Secretary of State
Washington, D.C.

Sir:

I have the honor to
1/ enclose herewith duplicate
statement of my salary account
for the quarter ending Mar 31st
1887, against which I have
drawn my draft on Messrs.
Brown Shipley & Co., London, in
the usual way.

I have the honor to be, Sir,
Your obedient servant,
Chas. Denby Jr.
Second Secretary.

Enclosure.
1. Statement as above.



No 352.

Legation of the United States.

Peking April 15th 1887.

Mr. Denby to the

Secretary of State.

Subject.

Duplicate salary account.

One enclosure.

No 352.

Legation of the United States.
Peking April 15th 1887.

To the Honorable
Thomas F. Bayard,
Secretary of State,
Washington, D. C.

Sir:

1/352 I have the honor to enclose herewith duplicate statement of my salary account for the quarter ending the 31st of March 1887.

I have the honor to be,
Sir,
Your obedient servant,
Charles Denby

Enclosure.
1. Dup. salary account.

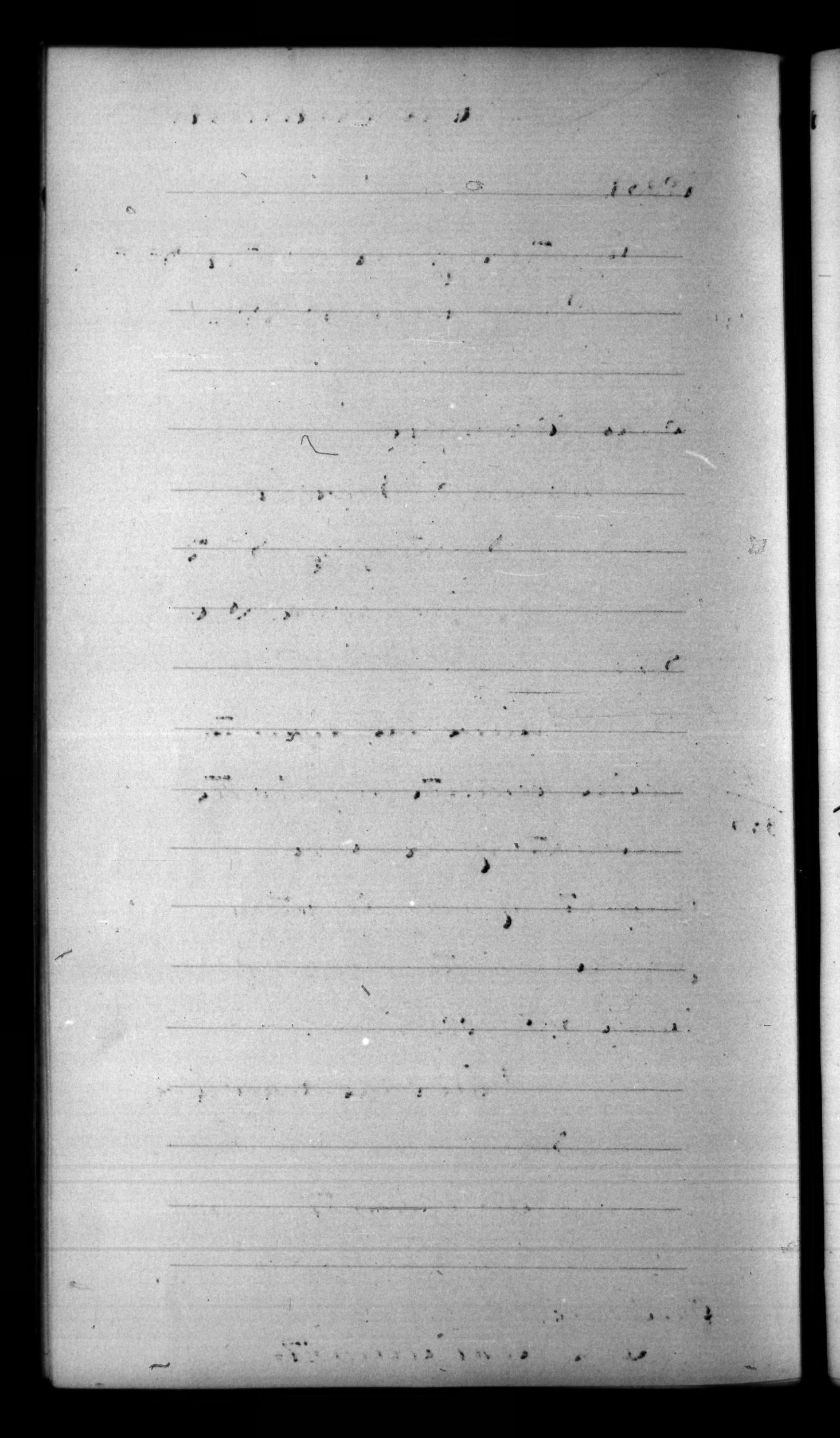
DEPARTMENT OF STATE
MAY 31 1887
RECEIVED.

No 353.

Legation of the United States
Peking April 15th 1887.

Mr. Denby to the
Secretary of State

Subject.
Duplicate Rent Account.



One enclosure.

No. 353.

Legation of the United States.
Peking April 15th 1887.

To the Honorable
Thomas F. Bayard
Secretary of State
Washington, D.C.

Sir:

1/353 I have the honor to enclose herewith duplicate statement of the Rent Account of this Legation for the quarter ending March 31st 1887.

I have the honor to be,
Sir,
Your obedient servant,
Charles Denby

Enclosure.
1. Dup. Rent Account.

DEPARTMENT OF STATE
JUN 15 1887
RECEIVED.

No 354.

Mr Everett

Legation of the United States.

2d ASSISTANT SECRETARY
Ack by no. + file
JUN 15 1887

Peking April 19th 1887.

Mr. Denby to the

Secretary of State.

Subject.

The "Chinese Railway Company"

Synopsis

Encloses prospectus of the newly organized "Chinese Railway Company"

Copied, June 1887.

One enclosure.

No 354.

Legation of the United States.
Peking April 19th 1887.

To the Honorable
Thomas F. Bayard
Secretary of State,
Washington, D. C.

Sir:

I enclose herewith
for the information of the
Department a prospectus
issued on the 12th instant
by the newly organized
"Chinese Railway Company."

The railroad in
contemplation is, as I
have already mentioned
in previous despatches,

an

1
354

an extention of the
Kaiping Railway which
has been in operation for
some years.

In its prospectus
the Company, to dispel
doubts "existing in the public
mind as to the ability of
the Kaiping Railway to make
substantial profits", gives
a few figures to show that
there remains a balance
over and above the working
expenses of the road sufficient
"to pay a dividend of from
"five or six to, if all goes
"as well as expected, ten
"per cent."

The Company now
desires

desires to increase the capital by Fls. 1000.000, and this sum it is proposed to raise by issuing 10000 shares of Fls. 100 per share.

The following assurance given to would be share-holders is highly suggestive. "In the administration of "affairs, this Company will "adhere strictly to economy "and efficiency, untrammeled "by official direction and "by not allowing foreign "merchants to squander the "capital; but the chief aim "will be the establishment "of an administrative system

free

"free from faults and
"beneficial to the Company,
"a system that will not
"relax into remissness, nor
"allow the Company to
"exist only in name as
"some companies in China
"have done."

I have the honor to be,

Sir,

Your obedient servant,

Charles Denby

Enclosure

1. Prospectus of the Chinese Railway Company, Chinese Times, April 16th 1887.

Enclosure 1 in No. 354.

THE CHINESE TIMES.

April 16th, 1887.

16th April, 1887.

PROSPECTUS OF THE CHINESE RAILWAY COMPANY.

In the year 1886 the Kaiping Railway Company undertook the construction of a railway from Hsü Ko Chuang at T'ang Shan to Yen Chuang, on the river Chi, and for this purpose they raised a capital of Tls.250,000 by issuing 2,500 shares of 100 Tientsin taels each. The total length of the new railway in connection with the one previously constructed is 90 *li*, and the work, when completed, was pronounced most successful. Recently the Board of Admiralty submitted a memorial to the Throne, proposing the construction of a railway from Yen Chuang to Lu T'ai, Peitang, and the north shore of Taku to Tientsin and other places, the total length of the contemplated railway being about 80 *li*, in order to facilitate the transport of troops and war material, and for the convenience and benefit of the mercantile classes. It was also proposed to place the construction and management of the new line in the hands of this Company, This memorial received the sanction of Her Imperial Majesty the Empress, and the matter has been placed on record. On account of the doubts existing in the public mind as to the ability of the Kaiping Railway to make substantial profits, the following statement, showing the working returns of the existing railway between Yen Chuang and Kaiping, is subjoined :—From the transportation of coal, the annual freightage can be guaranteed not to fall short of Tls.30,000; from limestone and sundry merchandise the annual freightage will be from Tls.10,000 to Tls.20,000; from passenger traffic over Tls.10,000. Deducting Tls.20,000 or Tls.30,000 from the above earnings for expenses, working, and maintaining the railway, there remains a balance sufficient to pay a dividend of from five or six to, if all goes as well as expected, ten per cent. If the line is extended to Taku and Tientsin, it will pass through various salterns, towns, villages, and landing places of the steamers, from all of which it will be easy to obtain considerable and adequate freight, and the profit derivable therefrom cannot possibly fall below that obtained at the Yen Chuang Kaiping section of the road. Therefore, no one need doubt the ability of the entire line to pay an annual dividend of from five, or six, or even, when traffic is developed, ten per cent. The Company now desires to increase the capital by Tls.1,000,000, and this sum it is proposed to raise by issuing 10,000 shares of Tls.100 per share. A set of regulations, which are appended below, have been prepared. In the administration of affairs, this Company will adhere strictly to economy and efficiency, untrammelled by official direction, and by not allowing foreign merchants to squander the capital; but the chief aim will be the establishment of an administrative system free from faults and beneficial to the Company, a system that will not relax into remissness, nor allow the Company to exist only in name, as some Companies in China have done. If any gentlemen should desire to become shareholders, they are requested to send their names and addresses, together with the number of shares they wish to subscribe, to the Company's head office at Tientsin for registration, and the share money should be deposited with the Hongkong and Shanghai Bank at Tientsin, in return for which the Company's share certificates and passbook will be given. Those friends residing in other ports who wish to subscribe for shares are invited to call at the Hongkong and Shanghai Bank Offices in their respective ports, and having registered their application for shares will deposit the money with the bank and receive provisional receipts until such time as the Company is able to issue regular share certificates, when the bank receipts must be given up for cancellation. Although the capital that is now subscribed is intended for the construction of the Yen Chuang Taku railway, yet should the line be hereafter extended, any money on hand will be used for such extension, consideration being taken according to the respective priority of the shareholders, those having entered their shares first being entitled to such preference as may justly be due. As this Company is formed on an upright and trustworthy basis, and will never fail to act up to its principles, it is to be hoped that gentlemen wishing to become shareholders will not hesitate or delay.

The following regulations enacted by the Kaiping Railway Company, are herewith appended :—

1.—It is proposed in the memorial of the Board of Admiralty to the Throne, approved by Imperial Decree, that this Company should be entrusted with the construction of a railway from Yen Chuang to Lu T'ai, Peitang, Taku, Tientsin and other places, the whole length of the railway being 180 *li*. The Company, in order to obtain the necessary capital of Tls.1,000,000 for purchasing land and materials, for erecting stations, building bridges, etc., now propose to raise the sum required by issuing 10,000 shares at Tls.100 per share, and those who are already shareholders, and others from the official and mercantile classes are now at liberty to subscribe for any number of shares required.

2.—This Company has been called the Kaiping Railway Company, because the original line was built at Kaiping in T'ang-shan, but since the line is to be extended to Taku and Tientsin, it will necessarily pass through many towns and places, and the name of Kaiping as applied to the Company will be no longer appropriate. It is proposed, therefore, that following the custom of the C. M. S. N. Co. and the Imperial Telegraph Company, the Kaiping Railway Company shall hereafter be designated as the *Chinese Railway Company*.

3.—The capital that is now being raised shall be added to the Tls.250,000 subscribed last year, and the entire funds shall be used for the Company's purposes.

The earnings of the Company shall be divided *pro rata* among the shareholders according to the number of their shares; but as the old shareholders paid for their shares last year, they are entitled to due consideration when the first dividend of the Company is paid, so that justice be done.

4.—Whenever the Company have to purchase rails or other materials, they will notify the different mercantile firms to hand in tenders for the same, and the tender that offers the best article at the lowest price shall be accepted. In this way economy will be secured. As to the workmen to be employed, the Company will engage those that built the line at T'ang-shan, also the villagers dwelling in the vicinity; thereby obtaining men of experience and conciliating the people at the same time.

5.—According to the memorial of the Board of Admiralty, Shên Pao-ching, ex-Financial Commissioner of Fuhkien, and Chou Yü-shan, Acting Commissioner of the Salt Gabelle and ex-Superintendent of Maritime Customs at Tientsin, have been appointed Directors of the Company, and these high officials are to be vested with powers pertaining to the maintenance and protection of the Company's railways. In all cases where the Company meets with difficulty, or in dealings with local authorities, these high officials are to assume responsibility. Wu Ting-fang, expectant Taotai, and Wu Nan Kao, expectant Prefect, manager and assistant manager respectively of the Kaiping Railway Company, are hereby appointed manager and assistant manager of this Company. The Company will conduct all its affairs upon true business principles, neither carrying on its correspondence officially nor accepting any official seals, neither engaging wei-yuans, nor employing runners. In all matters requiring consultation, the Board of Directors shall first be convoked for deliberation, and when a decision has been made will report same to the head Directors. The officers of the Company will never take action without having first submitted it to the deliberation and approval of the Board of Directors. The officials will not take advantage of the merchants, nor will the merchants impose upon the officials; therefore, intending shareholders may feel assured.

6.—In all matters pertaining to the appointment of managers, the election of a Board of Directors, the engagement of superintendents and other employés, the management of finances, the payment of dividends, the re-sale of shares, and all other matters, the Company will conform to the general laws and regulations of corporations in Western countries. Articles 5th, 6th, 7th, 8th, 9th, 10th, 11th, 12th. 13th, 14th, 15th, etc., in the regulations of the Kaiping Railway Company shall be adopted, and whatever has not been provided for in the above articles shall be supplied from the laws of railway corporations in Western countries, selecting such as are beneficial to the Company, and adapted to the circumstances of China.

7.—After twelve months from date of commencing operations, the Company's Treasurer shall draw up a detailed statement of expenditures and receipts, and shall submit copies of the same to all the shareholders. A date will also be fixed when the head directors, managers, Board of Directors, and shareholders shall be convoked to jointly deliberate on the Company's affairs, and to examine the accounts submitted and to decide upon the dividend to be paid. Afterwards a meeting for ends similar to the above shall be convened yearly.

file

Mr Everett
15



No 355.

Legation of the United States.

Peking, April 21st 1887.

Mr. Denby to the

Secretary of State.

Subject

Acknowledging despatches.

No. 355.

Legation of the United States.

Peking April 21st 1887.

To the Honorable

Thomas F. Bayard

Secretary of State

Washington, D. C.

Sir:

I have the honor to acknowledge the receipt of the following despatches: No. 163, of Feb. 18th; No. 164 of Mar. 1st; No. 165 of Mar. 3rd; No. 166 of Mar. 4th; No. 167 of Mar 7th; No. 168 of Mar. 7th; No. 169 of Mar. 8th;

I have also received your Circulars of February 8th

8th. 17th, and 23rd.

I have the honor to be,

Sir:

Your obedient servant,

Charles Denby

"China". "Burlingame" Burlingame

UNION LEAGUE,
PHILADELPHIA.

DEPARTMENT OF STATE
APR 25 1887
RECEIVED.

April 23, 1887.

Sir:-

In a communication from the Hon. D. J. Durham, - First Comptroller of the Treasury, I am advised to draw upon the Secretary of State for $507.03/. the amount due me "on account of Contingent Expense Foreign Missions 1885, per settlement No. 107,781."

In declining to this instruction, I have the honor to inform you, that I have drawn upon you, - for the sum of $507.03/- to the order of the Hong Kong and Shanghai Bank. - and to request that my draft, when it comes in due course, may be protected.

I have the honor to be, Sir,

Your obedient servant,

Lake Minister to China.

The
Hon. T. F. Bayard,
Secretary of State.

file

Mr Emmitt

DEPARTMENT OF STATE
JUN 15 1887
RECEIVED.

No 356.

Legation of the United States.

Peking April 27th 1887.

Mr. Denby to the

Secretary of State

Subject

Two boxes stationery received.

No 356.

Legation of the United States.

Peking April 27th 1887.

To the Honorable

Thomas F. Bayard

Secretary of State

Washington, D. C.

Sir:

I have received two boxes of stationery for the Legation's use, the shipment of which you advise me of in your despatch No 138 of December 15th 1886.

I have the honor to be,

Sir.

Your obedient servant,

Charles Denby

Wm Everitt
2
Bedford



No. 357.

Legation of the United States.

Peking April 27th 1887.

Mr. Denby to the

Secretary of State.

Subject.

The Upper Yangtze Steam Navigation Company.

Synopsis

Fomation of a company in London for the navigation of the Upper Yangtze. Attitude of Chinese Government towards the opening of Chungking.

Copied July 1887.

One enclosure.

No. 357.

Legation of the United States.

Peking April 27th 1887.

To the Honorable

Thomas F. Bayard

Secretary of State

Washington, D. C.

Sir:

Section III of the Chefoo Convention stated "The British "Government will further be "free to send officers to reside "at Chung King, to watch the "conditions of British trade in "Ssu Ch'uen. British merchants "will not be allowed to "reside at Chung King or to "open establishments or

warehouses

"warehouses there so long
"as no steamers have access
"to the port. When steamers
"have succeeded in ascending
"the river so far further
"arrangements can be taken
"into consideration".

Chung King, situated on the upper Yangtze River and in the rich province of Ssu Chuen has long been one of the most important marts of trade of China and the principal one of the western part of the Empire. Baron von Richthofen estimated in 1872 the grand total of all the export trade of the province

of

of Szu-Chuen considerably above Hs 12.000.000 and that of Chung King which descended the Yangtze in 1871 in foreign bottoms as unquestionably over Hs. 4.000.000.

The British Consular agents, who, under the provisions of the Chefoo Convention, have resided at Chung King since 1877, have in their commercial rports estimated the annual value of foreign goods imported by junks to Chung King at £700.000.

The organization of the Upper Yangtze Steam Navigation

Navigation Company, London",
for the purpose of constructing
and running a steamer
from Hankow to Chung King.
is, in view of the undoubted
value of the Chung King
market to foreign trade, an
undertaking which elicits
the sympathy and interest
of all mercantile classes
in the Far East.

The capital of the
Company is fixed at £10.000
devided into 100 shares of
£100 each and has been
already subscribed. It is
proposed to build in Shanghai
a powerful, light-draught
steamer, carrying about

200 tons dead weight and
150 passengers. It is computed
that the net earnings of such
a steamer will yield return
at about £6000 on the capital
invested. As soon as this
pioneer boat has demonstrated
the practicability of steam
navigation on the upper
Yangtze the capital of the
company will be increased
and shares offered to the
public.

The only difficulty which
may present itself, after the
question of navigating the
upper river has been solved,
is the position the Chinese
Government will take. The

possibility

possibility of this port being opened has caused no pleasure to the Chinese authorities and their further action in the premises is looked for with some anxiety. When in 1885 the French Plenipotentiary in China was negotiating at Tientsin the commercial treaty for Tongking, it is said that he endeavored to obtain the right for France, conceded to Great Britain by the Chefoo convention, to send a Commercial Agent to Chungking but the Chinese Government peremptorily refused. I have also heard it said that the concession

contained

contained in Section III of the Chefoo Convention, quoted above, was only made by China under the impression that steam navigation on the upper Yangtze was an utter impossibility.

I enclose a very able article on the subject of "the upper Yangtze as a trade route" which was published in the London Times and which I do not believe to be an over colored picture of the importance of this trade to western nations.

1/357

I have the honor to be, Sir,

Your obedient servant,

Charles Denby

Enclosure

1. Clipping London Times Weekly March 4, 1887. article "The upper Yangtze as a trade route"

DEPARTMENT OF STATE
JUN 15 1887
RECEIVED

Mr Everitt
15

No 358.

Legation of the United States.

Peking April 28th 1887.

Mr Denby to the

Secretary of State

Subject.

Duplicate contingent expense account

One enclosure.

No. 358.

Legation of the United States.

Peking April 28th 1887.

To the Honorable

Thomas F. Bayard

Secretary of State

Washington, D.C.

Sir:

I have the honor to enclose herewith duplicate statement of the contingent expense account of this Legation for the quarter ending March 31st 1887.

I have the honor to be,

Sir,

Your obedient servant.

Charles Denby.

Enclosure

1. Account

DEPARTMENT OF STATE
JUN 27 1887
RECEIVED

No 359.

Mr Everett
28

Legation of the United States
Peking May 1st 1887

Treat this as Confidential

Mr. Denby to the
Secretary of State.

Subject.

Chinese Railway Company.

Synopsis.

Failure of the Company's call for subscribers among Chinese merchants owing to want of confidence in a purely Chinese joint stock company.

No 359.

Legation of the United States.
Peking May 1st 1887.

To the Honorable
Thomas F. Bayard
Secretary of State
Washington D.C.

Sir:

Refering again to the question of the recently organized Chinese Railway Company, whose prospectus I forwarded to you in my despatch No 354 of the 19th ult., I have now the honor to report to you that the company's call for subscribers among the Chinese utterly failed

failed. It is said that not a single share was subscribed for by the mercantile class of Tientsin. The reason given for this is want of faith in a purely Chinese joint stock company, an organization the Chinese merchants of Tientsin have learned by dearly bought experience to consider a very insecure place for investments. It is said that they expressed their willingness to invest in the Company if there was a European of good standing on the board of directors, but this proposition has not been accepted by the

the Company. The Viceroy Li Hung Chang and a few other officials offered to guarantee half the amount of the stock offered for sale, but even this did not produce the desired confidence in the enterprise.

The Viceroy is now negotiating a silver loan of Hs 3.000.000 with the French Comptoir D'escompte, at Tientsin, at 6%, the loan to be signed in a day or two. The avowed usage to which this money is to be put is the fortifying of Wei-hai-wei near Chefoo, but it is an open secret that

omit * *

Omit | that the building of the Kaiping extension railway is, among other things to be paid for out of it.] The Viceroy is said to hope that as the work of building the road goes on and the people see that the undertaking is a real one, and not a perfected method for stealing the investors money, confidence will arise and would-be stockholders become plentiful.

The hopefulness of Li Hung Chang is not felt by many who say that this railroad can never be a paying one,

that

that if, hereafter, there is any considerable carrying trade, the whole road will have to be rebuilt as it is such a light one that it could not stand a heavy traffic. The Company, they continue, cannot possibly then fulfil its promises of paying a 6% dividend, on the contrary there will probably be a yearly deficit.

Be this as it may the abstention of the Tientsin merchants from subscribing to the new company without the presence of a european on the board is

a

a highly suggestive fact and a further proof of the absolute necessity of western co-operation in all important undertakings in China where the public credit has to be called on.

I have the honor to be,

Sir,

Your obedient servant,

Charles Denby

P.S.

Since writing the above, I learn that the loan has fallen through because the Comptoir d'escompte insisted on the Chinese Government securing the loan and this the Viceroy could not get.

No. 360. File
Books to Mrs
First Assistant
Dept.

Rob Everett 27

DEPARTMENT OF STATE
JUN 27 1887
RECEIVED

Legation of the United States

Peking May 2nd 1887.

Mr. Denby to the

Secretary of State

Subject.

Forwards Customs Reports

No. 360.

Legation of the United States.

Peking May 2nd 1887.

To the Honorable

Thomas F. Bayard

Secretary of State

Washington, D. C.

Sir:

I have the honor to forward to you under seperate cover two copies of the Imperial Maritime Customs "Returns of Trade at the Treaty Ports" for 1886.

I have the honor to be,

Sir.

Your obedient servant,

Charles Denby

file

DEPARTMENT OF STATE
JUN 27 1887
RECEIVED.

No. 361.

Mr Everitt 27

Legation of the United States.

Peking May 10th 1887.

Mr. Denby to the

Secretary of State.

Subject.

Intelligence Reports countermanded.

No. 361.

Legation of the United States.

Peking May 10th 1887.

To the Honorable

Thomas F. Bayard

Secretary of State,

Washington, D. C.

Sir:

In further answer to your despatch No. 163, disapproving of the rendition by Consuls of quarterly "Intelligence Reports" to this Legation, I have the honor to state that I have rescinded the order providing for their transmission.

I

I have the honor to be,

Sir,

Your obedient servant,

Charles Denby

Mr Everts
49

Ackn. appropriately

DEPARTMENT OF STATE
JUN 27 1887
RECEIVED

No 362.

A Wharton

Legation of the United States.

Peking May 10th 1887.

Acted & approved H.M.
June 20 1887 Asst Sec

Mr. Denby to the

Secretary of State.

Subject.

The question of holding a Court of Consuls at Newchwang.

Synopsis.

No such Court provided for. Consul advised to procure all parties in interest except American defendants to join as plaintiffs. Procedure stated when there are no competent associates.

No. 362.

Legation of the United States.

Peking May 10th 1887.

To the Honorable

Thomas F. Bayard

Secretary of State

Washington, D.C.

Sir:

I have the honor to report a rather unusual law question that is presented by Mr. Bandinel, Vice-Consul at Newchwang, with my decision thereof, subject to your approval.

He sends to this Legation a list of Associates for approval. It appears that there

There are six citizens of the United States at Newchwang. One is a Customs Officer, four are licensed pilots and one a licensed pilot who is now too infirm to follow his occupation.

It further appear that certain pilot-boats at Newchwang, with no national flag are owned by four Americans, one Swede, one Norwegian and one Englishman. They formed a company for a term of years just expired and the Englishman, having bought a new boat, wishes to obtain the value of his share in the other boats either

either by sale of the whole at auction or by sale of his share to the other part-owners. The part-owners cannot agree and the Englishman has applied to the British Consul for assistance.

The British Consul proposes the holding of a Court of Consuls. Mr. Bandinel declines on account of want of authority in the Consular Regulations or elsewhere. I have approved of this conclusion. I can find no authority for holding a Court of Consuls.

The English pilot has

has now brought suit
against the four American
pilots before the Vice-Consul.
I have instructed Mr. Bandinel
to summon the two citizens
as associates who are
competent. Should objection
be made to the one who
was lately a pilot, and it
be sustained by him, then
to make an entry of record
that, after due consideration,
it is found that there are
no duly qualified citizens
of the United States residing
at the Port of Newchwang
who are competent to act
as associates with the Consul
on hearing of the cause
and

and that it is therefore considered that the cause be heard by the Consul alone. I have advised him that under Section 1407 R.S. this procedure is proper.

I have also advised him that he cannot arbitrarily hear the cause with only one associate, but that the parties may, by written consent filed in Court, agree that one Associate may sit with him.

The Consul will still experience some embarrassment in framing his decree. Under our judicial system he cannot bring

bring into court all the parties in interest as he has no jurisdiction except over the four citizens of the United States. He cannot, therefore, order, as a Court of Admiralty would, the sale of the boats as an entirety. He can only order the interest of the four American defendants and that of the plaintiff to be sold. If all the part-owners not Americans would join as plaintiffs there would be no difficulty. I have suggested to him to procure this to be done if possible. I have also

suggested

suggested that it would be well to invite the Consuls of other nationalities to be present unofficially at the trial.

All of which is submitted for your approval.

I have the honor to be,

Sir,

Your obedient servant.

Charles Denby

Requisitions for passports,

No 363. Sent 29th June.

Mr Everett

27

DEPARTMENT OF STATE
JUN 27 1887
RECEIVED.

Legation of the United States.

Peking May 10th 1887

Mr. Denby to the

Secretary of State.

Subject.

Form of making application

for passports

No 363.

Legation of the United States.

Peking May 10th 1887.

To the Honorable

Thomas F. Bayard

Secretary of State

Washington, D.C.

Sir:

In reference to your circular of February 23rd last relating to the form in which passport applications are to be made out, I have the honor to inform you, that in view of the remoteness of Peking from the localities at which the applicants for passports

usually

usually reside, applications are not generally made directly to the Legation. I have therefore distributed among our Consuls a certain number of the blank forms of passport applications received from the Department and have instructed them to have one or the other form filled out, as the case might be, and forwarded to the Legation when asking for a passport. I have moreover requested the Consuls, when filling out these forms, to omit putting in the date of issuance or number

of

of the application and to change the word Legation for Consulate in the line giving the date on which the oath of allegiance was taken.

With these slight changes the forms as prepared by the Department do not seem to me to require any further additions or alterations as far as this Legation is concerned.

The number of blank forms received from the Department was not sufficient to admit of giving each Consulate more than a very few, and I have

to

to request that a fresh supply of forms be sent the Legation at your earliest convenience.

I have the honor to be,

Sir,

Your obedient servant,

Charles Denby

DEPARTMENT OF STATE
JUN 27 1887
RECEIVED.

No. 364.

Legation of the United States.
Peking May 14th 1887.

Mr. Denby to the
Secretary of State.

Subject.

Report of Minister's trip to Shanghai

Synopsis.

Mr. Brawley's departure from Tientsin
Interview with Viceroy. Tientsin and
Taku R.R. let to French. Interview
with Chamber Commerce. Decision
asked on power of Minister to
make Statute of Limitations. Favorable
mention of Consul-General. Recommendation
to appoint Vice-Consul-General. Reasons
for not going to Formosa. Will visit
it when directed. Visit to Chefoo.
Reports of efforts of Missionaries to locate
in Shantung. Treatment of native Christians.
Favorable mention of Vice Consul.
Draft for expenses of Trip.

Two enclosures.

No. 364.

Legation of the United States.

Peking May 14th 1887.

To the Honorable

Thomas F. Bayard

Secretary of State

Washington, D.C.

Sir:

I have the honor to report my arrival at Peking the 9th instant, on my return from the south.

I left Peking April 7th and reached Tientsin April 9th. Mr. C.J. Smithers was then installed in the Consulate. His predecessor, Mr. Brownley, was preparing

to

to leave. The occasion of the attaining the age of seventy years by Mr. Bromley was celebrated by the foreign residents. He is very popular in Tientsin, but I do not regret his removal. However charming he may have been socially, as a Consul he was by no means efficient.

April 12th I had an interview with the Viceroy Li, which was agreeable. The late legislation in the United States was favorably commented on with the remark that China and the United States had been always friendly. We had considerable conversation

about

about Admiral Shufeldt.
The Viceroy charged that the
Admiral was endeavoring
to excite the King of Corea
against China. I explained
that the Admiral was not in
the employment of the
Government; that he had been
retired from the navy and,
being simply a private citizen,
no responsibility for his conduct
rested on the Government.
The Viceroy mentioned General
Wilson most favorably. I,
thereupon, made the incidental
suggestion that the General
was ready to return to China
when proper inducements
were held out to him. He

spoke

spoke well of the new
Minister, Mr. Dinsmore, but
criticised Mr. Foulk's conduct
as being hostile to China.
I suppose that any representative
of the Government in Corea
who frankly insists on
recognizing the independence
of Corea will be out of favor
with the Viceroy.

On my return to
Tientsin from Shanghai,
I was told by Mr. Forbes, the
head of Russell & Co, that
the contract to build the
Tientsin and Taku Railway
had been let to the French
Syndicate the 23rd April. If
this information be true, as

I believe it is, the prospect for any American Company to participate in railroad enterprises in China is for the present at an end.

During my stay in Shanghai the most notable matter of public interest was the call upon me at the Consulate of the committee of the Chamber of Commerce, composed of about a dozen of the leading merchants in China. The proceedings involved a discussion of the dredging of the Woosung bar, duty drawbacks, Lekin taxes, land regulations, postal arrangements and

invoices

invoices. They are in the
main correctly reported in the
enclosed article cut from the
1/364 North China Daily-News of
April 25th.

It indicates a good
condition of business matters
that the Chamber of Commerce
in the chief city in China
had so few grievances to
which to call the attention
of a Minister. It will be
noticed also that they are
mostly of ancient date. There
were many expressions of
compliment to me, which,
coming from so distinguished
a source, were gratifying.

During my stay in
Shanghai

Shanghai, I sat on the
Bench, with the Consul General
and two Associates, to hear
the argument on a motion
for a new trial in the case
of Moreby and McCulloch
against Emens Administrator
of Robinson. The case had
been decided in favor of the
defendant on the sole ground
that under the 83rd clause
of the Court Regulations the
action was barred by the lapse
of two years after a cause of
action accrued. Under clause
43 of the Regulations, a new
trial, where more than $500
is involved, cannot be
granted without the concurrence

of

of the Minister. It may be refused by the Consul alone.

In my opinion the case turns entirely on this legal question: Is it within the power of a minister to enact a Statute of Limitations changing the Common Law, statutory or Admiralty rule?

The ruling on the motion for a new trial is withheld until I am informed of your decision on this point. I have already submitted it to you in my despatch No. 324 of date March 3rd. My own opinion has been expressed in this despatch. But the

Question

question is so important and far reaching that I do not think I ought to take the responsibility of deciding it, even judicially, without your concurrence. If you have not already answered my despatch, I beg that it be answered immediately as this motion for a new trial should be decided.

I am glad to be able to say that the Consul-General is a laborious, industrious, honest, prudent and able officer. Officially and socially he has taken high rank. I was much in his office

and

and derived great benefit from many discussions with him on public matters. He is kept very busy. I am of the opinion that a salaried Vice-Consul should be appointed who could relieve him from some of his duties.

You are aware that almost the sole object of my trip was to visit the island of Tamoa. The Admiral was informed of this intention. I received from him the following telegram in answer to my request that one of the vessels of the squadron might be detached to convey me

to

to Tomoza;

"Minister Denby,
"Peking, Steamer "Essex" can
"meet you Shanghai twenty
"third April no accommodation
"for Consul Crowell answer
(sigd) Chandler"

The latter clause
relating to Consul Crowell
was unintelligible to me
then. You are now in
possession of an explanation
of it in the correspondence
between the Consul, Captain
Jewell and the Admiral,
which has been laid before
you by the Consul and has
been sent to the Navy
Department by the Admiral.

This

This telegram surprised me as it seemed to dictate to me who should accompany me and to arbitrarily forbid my taking with me the Consul in whose jurisdiction Formosa is. But, as my relations with the Navy have always been most cordial and I am slow to take offense unless I am sure of all the facts, I answered this telegram that I would be at Shanghai the 23rd April.

The "Cruz" arrived at Shanghai April 21st. Captain Jewell immediately called on me and exhibited his written orders. I have no

copy

copy but the substance was that the "Ewen" was to be put at my disposition for one month, he was on no account to go to Formosa and he was to have no relations with Consul Caswell, except the barest official intercourse. In a private letter the reason for ordering the "Ewen" not to go to Formosa was said to be the dangerous navigation.

I should have implicitly given faith to this professional opinion if I had not ascertained from the officers that the "Ewen" had just returned from a cruise on the coast of Formosa and had

had twice entered the port of Kelung. This was the exact port at which I expected to land, whence I was to go by land to Tamsui and to be governed by circumstances as to my further movements.

I am well aware of the unpleasantness of a disagreement between two great branches of the Government. No act of mine shall, if I can avoid it contribute to any such result. But I must frankly say that my own self-respect and, much more, the dignity of my office, forbade my accepting the service of the "Cesar" under

There

these circumstances. I, therefore, sent to the Admiral the letter of which a copy is herewith enclosed. This was my sole communication to him.

2/64

After some hesitation I decided to postpone my trip to Tomora. One reason was that the expense would have been largely increased by going in a merchant vessel. Besides it is likely that the "Monocacy", which can go anywhere, will be furnished to me in the spring. I found the officers of the "Marion" very useful to me on my former trip.

D

I desire it to be distinctly understood that I make no complaint against the Admiral. He may have reasons for his conduct which are to him entirely sufficient. I simply desire to state that in my opinion he acted inconsiderately. He should not have permitted me on his telegram to travel nearly a thousand miles in order to embark for Formosa and, after my arrival at Shanghai, for the first time inform me that his orders were peremptory that the "Ceres" should not go to Formosa. He should have

have telegraphed that fact to me at Peking. In that event I would not have incured considerable expense or left Peking at all.

I left Shanghai May 1st and arrived at Chefoo May 3rd. I stayed about four hours. I have heretofore described the port. I saw the acting Vice-Consul, Mr. N. W. Falcomb. He seems to be intelligent and earnest in the discharge of his duties. Being new in the Consulate I was able to give him valuable advice. He made no special report except as

to

to some difficulties in which the native Christians in Shantung have been involved. The Christians had been imprisoned and beaten. By representations to the Taotai he had been able to alleviate their sufferings and to prevent their recurrence.

It is proposed at Chefoo to put a ship in the direct trade to New York to convey straw-braid, which is the chief article of export.

The Vice-Consul desires to be appointed a full Consul and to be paid a salary. Failing in that he

he desires to discharge
the duties of Interpreter and
to draw the pay for himself.
I recommend that this last
request be complied with
if consistent with the law.
With fees and this compensation,
the income of the office would
be about $1200 per annum.

There are probably
more Americans in Shantung
than in any other province
in China. I have had some
trouble in curbing the zeal
of the Presbyterian and
American Board Missionaries
in the province. At Tientsin
I saw Mr. Chapin, who had
lately bought real estate

through

through a Chinese intermediary, in a new location where no missionary, Protestant or Catholic, had ever put foot. When he proposed to build at Lin-Ching he was ordered by the local authorities to desist. He stated all the facts to me and desired my interposition. I was compelled to say to him that, on the ruling of all my predecessors and of the Department, he had no absolute right under the treaties to locate in the interior. If I made such a demand on the Imperial Government it would

would open up the whole question and its solution might result in injury to missionary interests. I advised him to work through the local authorities, to procure their consent, to placate the people and to go slowly. Mr. Talcomb, though four hundred miles away, is now rendering him some assistance. He conceded that my views were correct but he has not abandoned his hopes of securing a permanent location at Lin-Ching. This is the second of similar cases in that province.

I was accompanied on my trip by Mr. F. D. Cheshire, the Interpreter of the Legation, and by his servant and mine. The entire expense was $396.55, for which sum I have drawn on you and I respectfully ask that the draft be honored.

I have the honor to be,

Sir,

Your obedient servant,

Charles Denby

Enclosure.

1. Interview with Shanghai Chamber of Commerce, from N.C. Daily News.

2. Mr. Denby to Rear Admiral Chandler Sep Apl 25th 1887.

Enclosure 1 in No 364

THE CHAMBER OF COMMERCE.

Memorandum of an Interview with H.E. Colonel Denby, United States Envoy Extraordinary and Minister Plenipotentiary.

As His Excellency Colonel Denby, U.S. Envoy-Extraordinary and Minister-Plenipotentiary, was in Shanghai for a few days, the Committee availed of the opportunity to request an interview which was granted and which took place at the U.S. Consulate-General on 21st April 1887, at 4 p.m. All the members of the Committee in Shanghai were present, viz: Messrs. Purdon, (Chairman), Keswick, (Vice-Chairman), Holliday, Jantzen, Joseph, Lavers, Moses, Siebs, and Wheeler, with the Secretary, Mr. Corner.

After being formally introduced to His Excellency by General Kennedy, U.S. Consul-General, the Chairman said he had to express on behalf of the Committee, the great pleasure they had in meeting Colonel Denby, a pleasure they had hoped to have had on his first visit to Shanghai, but his short stay at that time rendered it impracticable. They had also to thank him for the despatch he had sent to the Tsung-li Yamên on the Conservancy of the Whangpoo river, a perusal of which they had been favored with, and for all the interest they felt sure he took in all matters connected with foreign trade with China. Mr. Purdon went on to say that he did not know of anything of general interest to place before his Excellency, as all the old standing grievances such as the Dredging of the Bar, Duty Drawbacks, Lekin Taxes, &c., were no doubt familiar to him, as the Legations at Peking must be loaded with copies of all the memoranda and correspondence on those subjects; but if there was any particular information on any point required the Committee would be happy to furnish it if in their power to do so. Mr. Purdon further added that there were perhaps one or two matters connected more directly with the U.S. trade which might be referred to.

The certifying of invoices had, as no doubt Colonel Denby was aware, been the occasion of correspondence between General Kennedy and the Chamber, and the Consul-General had kindly promised to use his influence in obtaining a mitigation of the evil complained of, and had in the meantime made the burden as easy as he could.

The Committee believed if His Excellency looked into the matter he would find that the complaints of the Merchants regarding this matter were very reasonable and they trusted he would lend his aid in bringing about a change.

Then there was the Post-office or mail arrangements. Owing to there being no close connection between the main Line from San Francisco at Yokohama with the local line to Shanghai, it often happened that letters for Shanghai were detained in Japan for five or six days, which would be obviated if the Post-office Department would make some arrangement with the two lines for close connections.

The only other matter which occurred to the Committee was the heavy extra lekin lately levied on Kerosene Oil. They supposed that the Chinese perhaps have a right to levy taxes on goods in the hands of the natives, but as this tax appears to be a discriminating one imposed for the purpose of checking or preventing the importation of one particular article it seems unjust, and the Committee would be pleased if Col. Denby could favor them with his views upon it.

Col. Denby in reply said he thanked the Committee for the distinguished honor of this call. He had taken great interest in the subject of trade with China and would use his best exertions to promote it whether with regard to trade connected with his own or with other foreign countries.

He had visited all the Ports in China and had acquired a good deal of valuable information, and was now on his way to Formosa to look into some questions affecting the Sugar and Camphor trade there. He looked however upon Shanghai as the great Port of China and believed it destined by its position to assume a still greater importance than it even now possessed.

The matter of the certification of Invoices had not been brought before him officially. He could see however the objections to being compelled to certify articles upon which no duties were charged in the U. S. and he knew of no reason for the regulation except perhaps it might be to keep a record.

The irregularity in the arrival of the mails arose no doubt from there being no postal arrangements with this Country. The U. S. Government were willing to withdraw their Post Office here should the Chinese Government establish their own or enter into the Postal Union. He judged that the general sentiment in Shanghai was not in favor however of the withdrawal of Foreign Postal Agencies.

With regard to the extra tax levied on kerosene oil he was not prepared to admit the right of the Chinese to tax imported articles as they liked, and he certainly considered that in this instance as it was avowedly done to interfere with the importation of a particular foreign article, it was in his opinion directly in violation of treaty rights.

The question arising on the power of the Chinese Government under the treaties to levy a *lekin* tax of any amount might be considered to involve the question, whether the proposed tax was prohibitory. If it were designed to prohibit the importation of any article which under the Treaties may be imported it would be a violation of the Treaties which provide for the importation of the article by paying certain Import Duties. The Treaties would be valueless if the moment the goods were landed they were subjected to exorbitant taxation.

The Tax levied in Canton was 80 cents per case in addition to the 40 cents previously charged, making with the Import duty $1.30 per case on oil worth $2 per case.

The matter was receiving his attention, he believed the true remedy for all these *lekin* taxes would be found in the establishing and extension of Railroads throughout the Empire.

The subject of Drawbacks had already been brought to his attention by the Chamber of Commerce at Hankow. He thought it plain that the present system was injurious to the shipper. It resulted in keeping afloat a vast amount of Drawback Certificates on which the shipper loses interest. The Drawbacks can only be used to pay other coastwise duties. A Drawback means simply that the Customs have money which belongs to the shipper. This money should either be paid in Cash or Drawbacks should be receivable for all dues which would keep them at par. A good system which was once adopted and in force for a short time, was to allow the shipper to give Bond that he would pay the coastwise duty unless he exported the goods in one year. His opinion was that that system should be readopted. Under it no money would be paid and no drawback issued. The duties would be paid on failure to export the goods. He was entirely willing to co-operate with his Colleagues in securing this Change.

The Ministers have put in much time and labor with the Land Regulations. It is not necessary to anticipate by any remarks the formal Report of the Dean on the part of the Ministers. They carefully considered every section by itself and made certain amendments and changes which were unanimously adopted. It is to be hoped that the amendments so made will be approved by the Municipality so that the new Regulations may take effect without further delay. The Ministers were all very kindly disposed towards the City of Shanghai and its people. As these regulations must be transmitted to the Governments of the Treaty Powers for their approval they received mature consideration. No doubt they will be transmitted to the Municipality in a few days.

After some desultory conversation the Chairman again thanked Colonel Denby for their reception and the Committee withdrew.

Enclosure 2 in No. 364

Separate.

Copy.

Shanghai April 25th, 1897.

Rear Admiral
Ralph Chandler
Commanding Asiatic Station.

Sir:—

Commander Jewell of the "Essex" has exhibited to me your order to him touching my proposed voyage. I have also received your letter to me of the first instant. Had I known before I left Peking that the "Essex" could not convey me to Formosa, I would not have troubled you to send her to Shanghai.

Commander Jewell has, in accordance with your order, courteously tendered to me the accommodation of his ship for a month. I return thanks to you and to him. But I have concluded to postpone my trip to Formosa and will not avail myself of the services of the "Essex" at this time.

I am, Sir,
Your obedient servant
(signed) Charles Denby.

File

No 365.

Mr Everett
27

Orr Enclosure.

Received by the
Receiving clerk of Dept.
June. 1887.

DEPARTMENT OF STATE
JUN 27 1887
RECEIVED.

Legation of the United States.
Peking, May 14th, 1887.

Hon. Charles Denby
to the
Secretary of State

Subject

Enclosing account for
expenses incurred on tour
of inspection to Shanghai,
etc:.

— ... —

No 365. one enclosure.

Legation of the United States.
Peking, May 14th, 1887.

Honorable Thomas F. Bayard.
Secretary of State.
Washington.

Sir:—

I have the honor to enclose herewith my account of expenses incurred on my recent tour to Shanghai, etc: amounting to $396.55/, against which I have this day drawn my draft on you in the usual manner to balance.

I have the honor to be,
Sir,
Your Obedient Servant
Charles Denby

365.

Enclosure.—
Account as above.

Mr. Everett
No. 366. July 1 acknowledged July 16 '87

DEPARTMENT OF STATE
JUN 27 1887
RECEIVED.

Copies for F.R. '87

Legation of the United States.

Peking May 14th 1887.

Mr. Denby to the

Secretary of State.

Subject.

The Chinese Minister's objection to the anti-opium act.

Synopsis

Recommends that Consuls be instructed not to enforce proceedings in rem against opium.

No. 366.

Legation of the United States.

Peking May 11th 1887.

To the Honorable

Thomas F. Bayard

Secretary of State

Washington, D.C.

Sir:

I have the honor to offer the following observations on the objection of the Chinese Minister to the third section of the anti-opium law, as stated in your dispatch No. 177. of date March 23d 1887.

The first clause of said section simply enacts the

the existing Treaty, adopting almost the language of Art. 2 of the Treaty of 1880, page 828, vol. 22, U. S. Statutes at large. The second clause provides, inadvertently, for a double pecuniary fine. The third clause gives jurisdiction to the Consular Courts.

The fourth clause provides for the confiscation of the opium therein above described and its forfeiture to the United States for the benefit of the Emperor of China, proceedings to that end to be had before the judicial authorities of

the

the United States in China.

I presume the objection of the Chinese Minister is directed to the fourth clause. I agree that the clause is antagonistic to the fourteenth article of the treaty of 1858, if opium is "a contraband article of merchandize".

Under the said article contraband merchandize is to be dealt with exclusively by the Chinese Government. But it has never been admitted by my predecessors and is distinctly disaffirmed by me that a citizen of the United States can be tried for any offence and

personally

personally punished except by his own Consul.

I submit to you the propriety of advising the Consuls not to entertain any action in rem having for its object the confiscation of opium, but on the contrary to disregard the said fourth clause of the third section. The ground for this ruling would be that the said clause is in conflict with the treaties. This course of action would relieve the mind of the Chinese Minister from any apprehension of interference with the local laws of China.

Opium

opium held in violation of the act of Congress would still receive no protection at the hands of the authorities of the United States. The question of confiscation "for the benefit of the Emperor of China" would be left with the Chinese authorities where it belongs. The personal penalties for a contravention of the act would still be enforced.

I have the honor to be,

Sir,

Your obedient servant.

Charles Denby

F.R. 87.

No. 367.

To Mr. Phelps. July 5: 87. W.
Copy of above sent.
July 7 Confer by

DEPARTMENT OF STATE
JUN 27 1887
RECEIVED.

Mr. St. Clair
Mr. Everett

Legation of the United States.

Peking May 16th 1887.

Mr. Denby to the
Secretary of State.

Subject:
The collection at Hongkong of Lekin on kerosene oil shipped to Canton

Synopsis.
A Lekin station has been fixed in Hongkong and copy of a receipt for Lekin paid on kerosene destined for Canton is set out.

No. 367.

Legation of the United States.

Peking May 16th 1887.

To the Honorable

Thomas F. Bayard

Secretary of State

Washington, D. C.

Sir:

I have the honor to bring to your attention a new phase of lekin taxation.

Kerosene oil is shipped from Hongkong in native junks. I have been furnished with a copy of a lekin receipt issued in Hongkong for duty paid on kerosene shipped to Canton.

This

This receipt reads as follows:

"Received, from Mak. Yee
"the sum of Chay on four dollars
"3rd, Moon 15th day, Kuang-
"Six 13th year.
Farmer's Chop."

Chay On

Formerly the lekin duty on kerosene was forty cents per case. The privilege of collecting this duty was farmed out. The famer had his own stamps and seals. Lately a further lekin tax of eighty cents per case was levied. This receipt bears the stamp of the kerosene famer and also the stamp aknowledging receipt of the 80 cents lekin

duty

duty. Thus both taxes are collected at Hongkong.

Thus, it appears that Hongkong has become a lekin station for the Chinese Government. Hongkong has hitherto been a free port. [I am not concerned with] omit The result of this system on the property of Hongkong [it] is likely to be detrimental as it tends to divert trade therefrom. [It may be considered also as affecting the dignity of the English Government, which thus allows an important city to be used as a lekin station.] omit

The

The system of collecting the opium tax at Hongkong is, by this procedure extended to kerosene oil. In the progress of this new departure it may happen that other taxes will be likewise collected in Hongkong. As Hongkong is not in my jurisdiction I confine myself to giving you information of these facts.

omit

The English Legation here admits verbally that these statements are correct but claims that the tax is not increased by the practice and nobody is hurt

hurt thereby. I do not therefor expect any cooperation from that Legation in any effort to do away with this anomaly.

I submit the matter to you for such action, if any, as you may deem advisable.

omit

omit

I have the honor to be,
Sir,
Your obedient servant,
Charles Denby.



Mr Everett
28

DEPARTMENT OF STATE
JUN 27 1887
RECEIVED.

No. 368.

Legation of the United States.
Peking May 17th 1887.

Mr. Denby to the
Secretary of State.

Subject.
The trade of China for 1886.

Copied June 1887.

No 368.

Legation of the United States.

Peking May 17th 1887.

To the Honorable

Thomas F. Bayard

Secretary of State

Washington, D.C.

Sir:

In my despatch No 360 of May 2nd, I forwarded to you a copy of the "Report on the trade of China" for the year 1886, published by the Imperial Chinese Maritime Customs. I now beg leave to call your attention to a few interesting facts which an examination

of

of this report discloses.

Although the value of trade in 1886 has been greater than any previously recorded, being Hk. Ts 164.685.800*, it is said that business has not been in all departments advantageous to the producer or the merchant. Over-production and over competition, as well among the foreign firms as among the Chinese, seem to be the chief causes of this state of things.

The shipping statistics show an increase of 5804 vessels, aggregating 3.687.589 tons, over the preceding year

* Haikwan Tael = $1.22 U. S. Gold.

year. The total number of vessels which entered and cleared the Customs in 1886 was 28.244 with an aggregate tonnage of 21.755.760 tons. In 18 , 18,807 vessels of 11,983,591 tons burden entend and cleared at the treaty ports. This was the first year that the Customs published a general table of the foreign shipping at the treaty ports.

The Customs revenues for 1886 were Hk. Tls. 15.144.678, an increase of Hk. Tls 671.912 over the preceding year.

The export of tea during the year under review was the greatest in quantity for

the

the last ten years, being 2.217.295.143 Piculs, but we are told that "probably "the growers of tea and the "ocean carriers are the only "ones who have been "benefited by the exceptionally "large operations of the year, "unless we include also the "Government, which gets a "revenue proportional to the "amount of the export."

The export of silk in different forms has been on a much larger scale than in former years, its estimated value being for 1886 about Kr. Rs. 28.800.000.

The export of sugar has

has considerably fallen off in the last few years, being 612.476 Piculs in 1886, 827.236 Piculs in 1885 and 1.571.405 Piculs in 1884. The decline is ascribed by the Customs "to the imposition of new "taxation in Formosa; the "competition of other sugars, "especially Javas, the influence "of protection given to sugar "cultivation in other countries "and the drought prevalent "in the southern sugar "producing provinces."

The total value of the import of foreign goods from foreign countries in 1886 was Tk. Hs. 87.479.323 against

against Hk. Tls. 88.200.018 in 1885 and Hk. Tls. 72.760.758 in 1884. Last year's imports show a falling off in the value of opium, cotton goods, miscellaneous piece goods and metals and an increase in the value of imports in woollen goods and sundries of Hk. Tls. 3.411.332.

An interesting fact is disclosed by an examination of the table (p. 13) giving the total importation of opium into Hongkong and its excess over the entries at the Treaty Ports, by which we learn that the value

of

of this silver (which may, roughly speaking, be taken as the value of the smuggling trade in opium with China) was in 1886 Tls 9.337.164.

The import of kerosene in 1886 was 22.800.000 gallons; in 1885 it was 14.700.000 in 1884 7.000.000. While we find that the consumption of kerosene at the northern ports is less than it was in 1885, that in nearly all the southern ports has increased greatly being 2.600.000 gallons, whereas it was only 1.800.000 in 1885. "This "gain, however," the report tells

Tells us, "does not represent
"increased consumption, the
"stocks at Shanghai at the
"end of 1886 being 10½
"million gallons".

Looking at the trade
of the United States with
China during the last year
we find that its value
was Tk. Tls. 14.333.024, being
an increase of Tk. Tls.
2.719.906 over that of 1885.
The following table showing
the steady increase of our
trade with China during
the last eleven years may
be of interest.

Imports

	Imports to U.S. Gk. Ds	Exports to China Gk. Ds
1876	7.259.018	738.528
1877	7.951.203	1.138.136
1878	6.576.125	2.253.118
1879	8.966.693	2.540.763
1880	9.106.917	1.204.525
1881	10.222.335	3.300.312
1882	8.420.130	3.276.728
1883	7.351.961	2.708.395
1884	8.279.598	2.418.367
1885	8.297.722	3.315.402
1886	9.685.691	4.647.333

In regard to our shipping interests in China during the last year we find that 413 American ships entered and cleared at the treaty ports, a falling off of 180 over 1883. In 1886

1886, 16.193: British vessels entered and cleared at the treaty ports. While Great Britain had 75.28% of the foreign carrying trade with China, Germany 5.50%, France 7.30%, we had 0.91%. It is also worthy of note that in 1886 no American steamer visited Shanghai.

As above mentioned, the low rates of exchange have exercised a great influence on the trade of last year, encouraging the trade of silks and occasioning heavy losses to those engaged in the tea business; "it has "been", remarks the writer of the

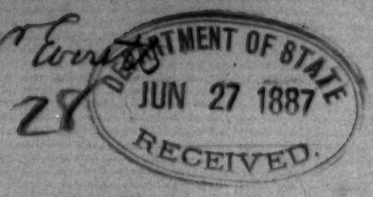
"the report, an element which
"has affected many departments
"of foreign trade during the
"year to an extent only
"less grave than war itself
"would have been." "The
"course of exchange during
"1886 was lower even than
"in 1885." Thus the Shanghai
tael exchange on London,
which was 4.11 1/4 in
January 1885, was 4. 7 3/4
during the same month of
1886, and in August 1886
it fell to 4. 3 3/8 the lowest
rate being 4.3 1/4 on the 19th
August.

I have the honor to be, Sir,
Your obedient servant,
Charles Denby

Weekly Graphic May 28
Weekly Post. sent to us from July 1. 87 June 29. Circ'd

No. 369

Mr Denby 28



Legation of the United States.

Peking May 17th 1887.

Mr. Denby to the

Secretary of State.

Subject.

Requests certain newspapers

No. 369.

Legation of the United States.
Peking May 17th 1887.

To the Honorable
Thomas F. Bayard
Secretary of State
Washington D.C.

Sir:

I have the honor to request that during the coming year there be sent to this Legation the New York "Weekly Graphic" and the "Weekly Washington Post".

I have the honor to be,
Sir,
Your obedient servant,
Charles Denby

No 370. ✓ Rec'd 9th

DEPARTMENT OF STATE
JUL 5 1887
RECEIVED.

Legation of the United States.

2D ASSISTANT SECRETARY.
Ach as read with great interest—
JUL 6 1887

Peking May 18th 1887.

Mr. Denby to the

Secretary of State.

Subject.

The Penal Code of China.

No. 370.

Legation of the United States.

Peking May 18th 1887.

To the Honorable

Thomas F. Bayard

Secretary of State

Washington, D.C.

Sir:

I have the honor to state that, in view of the discussion now being had in China touching the abolition of the extentorial jurisdiction of the foreign powers, it has occured to me that some general observations on the Penal Code of China would not be out of place. The

subject

subject does not seem to have been handled by any of my predecessors.

The Chinese Penal Code is excessively minute. There are few conceivable offences not embraced in its provisions.

The first Monarch of the present family, Shunchi, ordered a revision of the code in 1647. A new edition is published every five years. It comprises seven divisions and four hundred and thirty six sections under an equal number of separate heads. The first of these divisions is in forty six sections

Consisting

consisting of general laws comprising principles applicable to the whole code.

The punishments inflicted are the following: from ten to fifty blows with the lesser bamboo; from fifty to one hundred with the greater bamboo; transportation to any distance not exceeding five hundred li (a li is 1/3 of a mile); perpetual transportation; death either by strangulation or decollation. The bamboo, the cangue or movable pillory, the iron chain, hand-cuffs and fetters are the common instruments of punishment. There is

no

no banishment from the confines of China, but transportation is ordered to Mongolia or Manchuria. This punishment may also involve labor in public works.

The ten great offenses are rebellion, disloyalty, desertion, parricide, massacre, sacrilege, impiety, discord, insubordination and incest.

Certain classes of offenders belonging to the Imperial blood, or who have rendered valuable services, or are distinguished by wisdom, ability, zeal, nobility or birth are entitled to

commute

commute these punishments by the payment of money.

Private offenses comprehend almost all cases of direct criminality; public offenses are cases of liability to punishment growing out of official responsibility.

New laws take effect from the date of their promulgation. Cases for which there are no specific laws must be decided from analogy.

Transportation varies from five hundred li to four thousand li in distance and from a short period to life.

The second division covers

cover offences relating to violations of civil laws. The sections relate to appointments to office, to performance of official duty, to interference with magistrates, to non-execution of Imperial edicts, to the mutilation of official papers, to forming cabals and state intrigues and other kindred subjects.

The third division covers violations of the fiscal laws. It concerns population and revenue. Fifteen sections relate to the enrolment of the people, adoption of heirs, building of temples without permission, evasion of public

service

service by desertion, provision for the aged and bereaved. Eleven relate to lands and tenements, fraudulent misrepresentation of landed property, inspection of lands injured by calamity, usurpation of public or private lands and tenements, mortgaging land, private employment of public carriages, and boats and the like. Seventeen sections relate to marriage, regulating marriage, mortgaging a wife or daughter, disregarding rank of wife or concubine, ejecting son-in-law, marrying during period of mourning or imprisonment,

marriage

marriage between persons of different ranks; or with relations, or with persons who have absconded; forcible marriage of freeman's wives or daughters, of freemen with slaves holding go-between responsible.

Twenty-three sections relate to granaries and treasuries, coinage, receiving taxes, concealing revenue, monopolizing payment of taxes, giving false receipts, failing to make proper reports, clandestine use of revenue or use of public property, frauds in storehouses, thefts in granaries, detention of revenue, purity

of

of gold and silver delivered to government, confiscated property and the like.

Eight sections relate to duties and customs, regulations of salt department, smuggling of tea, alum, evasion of duties and the like.

Three sections relate to money loans, unlawful interest, breaches of trust finding lost articles.

Five sections relate to markets and shops, valuation of goods by factors, combinations of traders, false weights, manufacturing utensils and silk contrary

to

to usage.

The fourth division relates to ritual laws — sacrifices, destroying altars, dishonoring tombs or the gods, prohibiting magicians and depraved arts, preparing medicine for the Emperor, interdicted books, imperial presents, neglect of ceremonies, monuments, sumptuary laws, respect to parents, false predictions, concealment of deaths, funeral rites, interments, festivals and the like.

The fifth division relates to military laws — wrongfully entering temples or the palace, neglect of duty,

Trespass

trespass on imperial roads, wrongfully employing substitutes, regulations as to intercourse with the palace, locking gates of cities, unfaithfulness of officers, plundering by soldiers, insubordination, selling war-horses, arms or accoutrements, improper management of herds and flocks of the government, or neglect of them, using government horses, excessive rations. This division contains seventy sections and provides for almost every conceivable offense by soldiers. . . . . .

The sixth division relates

to

to general crimes and misdemeanor. The criminal laws are 170 in number, and are comprised in eleven subdivisions. Twenty-eight refer to theft and robbery, twenty to loss of human life, twenty-two to quareling and fighting; eight to abusive language; twelve to litigations, eleven to bribery, eleven to frauds and forgeries, ten to illicit intercourse, eleven to miscellaneous offenses, eight to arrests and escapes, twenty-nine to imprisonments.

In this list may be found punishments for

defacing

defacing boards or marks, for carelessly entering houses at night, for killing three persons in one family, for cutting human beings to pieces, for killing a concubine by excessive beating, for interference in cases of intended injury, for wives and concubines striking their husbands, for striking the children of a wife's former husband, for abusing parents, for bringing forward false accusations, for illicit sexual intercourse, for frequenting brothels, for employing eunuchs; for hushing up crimes, for "doing what

what ought not to be done",
for accidental fires, for clerks
writing confessions for others.

The other crimes are
those known as mala in se
in all systems of jurisprudence.
Some of the special offenses
above enumerated are novel,
as the law which holds the
master of the house criminally
liable for an accidental
fire, and punishes him with
death should an imperial
temple be burned. But the
penal legislation in general
does not differ from that
of other countries in the
definition of crimes.

The law respecting

theatrical

theatrical representations prohibite the representation of empresses, famous princes, ministers and generals of former ages.

Torture is prohibited to be applied to persons over the age of seventy and under the age of fifteen.

Females are not imprisoned except in capital cases and adultery. They are kept in custody by their husbands or kindred.

It is usual to compel the prisoner to confess his guilt before sentencing him. To this end torture is applied, but I am inclined to

believe

believe that torture is not
applied until there is
raised a strong presumption
of guilt.

When a man is accused
of a capital crime his
kindred are summoned
to be present at the trial.

Ordinarily the death
sentence is not executed until
the imperial rescript has
been had. But sometimes
the execution is immediate.
Execution by the slow process,
that is by hacking the
members off one by one, is
not uncommon.

The seventh division
of offenses relates to public
works

works. It contains twelve sections - assuming to effect public works, waste of time and expenditure, building contrary to law, misapplication of public money or silks, weaving prohibited patterns, encroachments on streets and the like.

In those cases in which the law allows commutation money to be paid, in lieu of suffering the punishment inflicted, the amount varies from Rs 12000, in case of the death penalty in certain cases, to a nominal sum for

for blows.

It may be said generally that whoever is guilty of any species of pecuniary malversation to the extent of twenty taels of silver shall receive forty blows and the greater the amount the heavier the punishment.

Having thus furnished an abstract of the Ta Tsing Leu Lee, or Penal Code of China, I beg leave to offer a few remarks thereon suggested by reading and observation.

It is to be noticed that the Penal Code discloses

That

that the duty of submission to parental authority is treated as a fundamental principle of government.

This principle indeed is the foundation both of law and religion. The worship of ancestors is the one distinctive principle of religion. Submission to parental authority, or to the rulers who represent parents, is a general rule of action. Secluded, as China was, from the rest of the world for many centuries the patriarchal government which existed in the earliest ages in all

all countries, remained and still remains as the foundation of her system. This principle has served to unite as one people the vast population of China and to preserve for its Emperor the veneration of his subjects in spite of every convulsion.

It is also to be noticed that there are many provisions, not found in other codes, based on an exalted charity and respect for aged and honorable persons. There are also preventive measures such as requiring any person who knows of an injury intended to another to endeavor

to

to prevent it, and if unsuccessful to report the matter to the magistrates — which do not exist in other codes.

If we compare China with our own favored land we will not fail to conclude justly that the Chinese are inferior to our own people in social virtues. The chief cause, no doubt, of our superiority is the profession of the Christian religion. On the other hand we must admit that the Chinese possess certain moral and political advantages in a marked degree. Among these

may

may be enumerated the regard paid to ties of kindred, the sobriety and industry of the lower classes, the absence of feudal privileges, the peaceful tendency of the government and the people, the equable distribution of landed property and the comprehensive just and equitable system of penal laws which I have herein sketched.

It must be said also that there is considerable liberty of the Press in China. Its influence and spread is not, of course, as great here as in western countries,

but

but there seem to be no previous licenses required and few restrictive regulations. No country in the world so much encourages literary pursuits nor rewards them with such honors and emoluments.

While there are other statutes besides the Penal Code still it may be taken as a compendium of the laws of China. Each branch of the government has its own particular code of laws, but the general laws of the Empire are found in this code and they are connected with every branch of the

Constitution

constitution. These laws are the product of the wisdom of the Tartar dynasty and date from the Tartar conquest.

We shall look in vain in the Penal Code for the ordinary safeguards that are thrown around the citizen in the courts of our own land or in England. No presumption of innocence is admitted and men are required to criminate themselves. In our view these practices must be held to be indefensible. But in considering what laws are adapted to a people we

must

must study the geography of the country, the climate; the quality of the soil, the ordinary life of the people their religion, inclinations, wealth, numbers, commerce, morals and manners.

Perhaps the western world is not even now sufficiently acquainted with China to pronounce authoritatively on the adaptation of its code to its people. It cannot be denied successfully, although some authors have disputed the assertion, that bambooing and bastinadoing are almost universally used in criminal

procedure

procedure. My belief is, that they are very common procedures used as punishment and as torture.

There are no permanent prisons and all punishment is corporeal. It is impossible to defend on any human theory the cruelty which is often practiced in the Courts. Absolute necessity is the only shadow of defence.

It will be noticed, that the laws take a wider range than those of other countries. This might have been expected in a patriarchal government. The minute interference with individual

freedom

freedom may also be
more necessary in the
ruling of such a vast population.

It is claimed that
the severity of the written
law is condoned by leniency
in its execution. But I am
not prepared to concede
this proposition. My reading
of the Peking Gazette induces
me to believe that there is
great rigor in the enforcement
of even the heaviest penalties,
which are not redeemable by
money commutation.

It may be said also
that however equitable the
laws, may appear to be the
administration of justice is

Corrupt

corrupt. It is notorious that money is demanded and received by the underlings of the various Yamêns from prisoners and criminals. It is charged that the judges are susceptible to bribery in civil cases.

But I do not believe that the Imperial Government would lend its sanction to corruption or injustice, or fail to send the perpetrators to the Board of Punishments for the assessment of a penalty, where a plain case was brought to its notice. The body of the people take great

great pride in their laws and demand only their impartial execution.

The era of reform has not dawned for China. Her attention today is directed to material development only. Possibly she has commenced at the wrong end, but she will first provide for an army and navy for self-protection, before looking into the wrongs prevalent in her governmental system.

I conclude this essay with the remark that nothing in the code or in the constitution or administration

of

omit

of the law in China will warrant even the consideration of the question of abandoning the ex-territorial rights under the Treaties of the Foreign Powers.

I have the honor to be,
Sir,
Your obedient servant.
Charles Denby

Mr Everett
28

DEPARTMENT OF STATE
JUN 27 1887
RECEIVED.

No 371. Cy To Treasury June 29 Cust Rec

Legation of the United States.

Peking May 19th 1887.

Mr. Denby to the

Secretary of State

Subject.

Reply to Circular Jan. 14th

No. 371.

Legation of the United States.

Peking May 19th 1887.

To the Honorable

Thomas F. Bayard

Secretary of State

Washington, D. C.

Sir:

In reply to your Circular marked "Separate," of January 14th last, requesting information in reference to the coinage, production, consumption etc. of the precious metals, and other information bearing upon financial matters, I have the honor to state as follows

follows:

(1) No gold coin is in use in China; but in the form of ingots, bearing the stamp of the private bank which sold it, it is frequently seen.

(2) The same remark applies to silver, although in the western part of Ssu-chuan Indian rupees and 4 anna pieces are current, and in Tibet, and the countries to the north of it, there is a silver coin called in ~~it~~ Tibet tanka or tranka. Its value is about 22 cents. It is cut in pieces to make a subsidiary

Coinage

coinage. In Chinese Turkestan a silver coin has been issued by the Chinese authorities, copper cash not being used to any extent in that country or in Tibet or Mongolia. The silver coinage of Tibet comes chiefly from Nepaul; although some of it has been and perhaps still is coined in the country.

(3-6) This Legation has not been able to obtain any data bearing on the questions of import and export and production of precious metals in China.

(7) In September last, the Empress ordered Prince Chun

to

to take the question of the present system of cash coinage into consideration, in conjunction with the members of the Grand Council and the Board of Revenue, with a view to restoring the system to the basis on which it was prior to the financial difficulties in 1856-57, during the reign of Hsien Feng, which brought about the present debased coinage. The text of this decree is not accessible.

(8-10) No information bearing on the subjects propounded in these paragraphs is obtainable.

I have the honor to be,

Sir,

Sir,

Your obedient servant,

Charles Denby

DEPARTMENT OF STATE
JUL 5 1887
RECEIVED.

mt Everett
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Dr Ford

No 372. one enclosure.

Legation of the United States
Peking, May 23d, 1887.

Mr. Charles Denby
to the
Secretary of State

Subject.
Chinese Guilds.

Synopsis.
Mr. Denby gives an account of Chinese Guilds and Encloses a paper on the subject.

[No 372. One Enclosure.

Legation of the United States.
Peking, May 23d 1887.

Honorable Thomas F. Bayard.
Secretary of State
Washington.

Sir:—

The subject of Chinese Guilds is of great importance for the comprehension of commercial matters in China.

I enclose herewith a copy of the Journal of the China Branch of the Royal Asiatic Society for March 1887 containing an able article on these institutions.

372.

From this and other sources I compile the following observations:]

Prior to the Treaty of Nanking of 1842, all communication with foreigners was had through the Co-hong Guild of Canton. Large sums was paid to the Imperial Government for the privilege

privileges of the foreign trade. Foreigners could not either officially or commercially communicate with the Chinese authorities except through some member of the Co-hong. The factories at Canton were owned by the Co-hong merchants. They were priviliged in their dealings. Instances are recorded in which one of them - Howqua, gave $1.000.000. once to save Canton from bombardment, and again to pay the debts of a member of the Co-hong.

The Treaty of Nanking opened up China to general foreign trade and the Co-hong was abolished. The spirit of monopoly was not however repressed. In 1858 the fourteenth article of the French Treaty absolutely prohibited the formation of any privileged commercial society and all monopoly of trade. On the representation of a Consul all such

such associations were to be dissolved.
But the treaty has remained
a dead letter.

In every city in China there
are Guilds. They control arbitrarily
every branch of business. Boycotting
exists in the most offensive
manner. In the great cities
there are numerous Trades Unions
who regulate hours of labor, "
apprentices, strikes, and prices on
the most approved American plan.
Mercantile Guilds have existed
time out of mind.

In most cities each province has
its own Guild. The Guild protects
its members against sectional
prejudices, prevents litigation, and
performs the usual functions
of a chamber of commerce.
Ningpo is a noted place for Guilds,
and some complaints have been
made to me of its interference
with trade. I refer to the accompanying
articles.

article for the constitution and management of these Guilds.

I have visited some of the Guild halls which are gorgeous and imposing. They are designed for an exchange, theatrical representations, shrines, and restaurants. The bankers, the silk and tea men, the dealers in lumber, the opium dealers, the druggists all have Guilds.

It is asserted that these Guilds, though despotic, are not altogether harmful. They are held amenable to law, and ordinarily reasonable in their dealings with foreigners. They administer justice and compel their members to act honestly.

Trades Unions are very numerous. The Ningpo Fishmongers Union has a reserve fund of $700.000, which is loaned at a low interest

interest.

There are Unions for blacksmiths, carpenters, coin-drawers, silk-weavers, millers, postal companies, barbers. The wages would be considered ridiculously low in any other country. For instance, a Yokohama tailor gets $5. per month and his food, which probably costs $1.50 more. For these wages he toils unceasingly except the last five days of the year and the first ten days of the new year, with four other holidays.

Strikes are infrequent. The Trades Unions are noted for their impotency. At Yokohama not long ago, one of the gold-leaf staff violated the rule which forbids an employer from taking more than one apprentice at a time. He was bitten to death by one hundred and twenty-three men, each one of whom bit

but firm.

Labor-saving machines encounter violent opposition. Chint. brass for manufacturing brass utensils was taken to Canton. To prevent a riot it had to be removed to Hongkong. Some sewing machines for sewing felt shoes, imported from America met the same fate.

Co-operative loan Clubs are very common.

It has been stated by some writers that the Chinese lack the power of combining. Certainly this is not true as far as combinations for commercial or mechanical purposes are concerned. [Whether they possess the power of combining for political purposes or not I do not know. But it is certain that] wherever they have made settlements

Const. 7

settlements in the East they have speedily controlled and directed commercial operations. These guilds have been introduced into California and are very powerful.

Among agricultural laborers there seems to be no combination. Holdings of land are small. Living is cheap. The laborer may save enough to become the proprietor of a small tract. He is in conservative and contented. He is not weighed down by caste or feudal laws. If he is endowed with good mental qualities he may rise in the social scale. The Examination hall is open to all. Success there ensures advancement in the state.

I have the honor to be
Sir
Your obedient servant
Charles Denby

Enclosure 1.
Journal as above.

DEPARTMENT OF STATE
JUL 5 1887
RECEIVED

No 373.

7 R cop. 9 July 87

2d ASSISTANT SECRETARY.
Ack as interesting
JUL 6 1887

Legation of the United States.

Peking, May 23d, 1887.

W. Charles Denby

to the

Secretary of State

Subject.

Civil Law of China.

Respected

W. Denby gives an account of the system prevailing in China in governing civil actions, etc:

— .. —

No 373.

Legation of the United States.
Peking, May 23d 1887.

Honorable Thomas F. Bayard.
Secretary of State
Washington.

Sir:—

I have the honor to offer a few observations on the Civil law of China. There is no written Code applicable to civil proceedings. Nor is there any series of reports of cases. The administration of the law is moulded by the character of the Government. The Government is paternal. [It is a despotism, but a mak despotism.] It is arbitrary but it is based on the consent of the people, and it is encompassed by checks which serve to give it some of the elements of a democracy.

The courts do not seem to be bound by any technical rules. It has happened lately that in a civil case the plaintiff has been punished corporally for bringing the suit, and the defendant has also been punished,

though

though the plaintiff was adjudged to
be in fault.

The villages, the clan, the neighborhood
and the guilds administer justice.
The "gentry" are an important factor.
They are elders and men of influence.
They sometimes become officials. They
often control the officials and order
them to do justice. They may be
more accurately described as mediators
between the people and the officials.
The greater part of the administration
of the law in China is in the hands
of the district magistrates. They are
called "the parents of the people."
The duties of this officer are by no
means exclusively judicial. He
administers the criminal and
civil law, and is responsible for
the order of his bailiwick. He collects
taxes. He has soldiers under him.
He has charge of the literary examinations.
certain days in the month are fixed
for the bringing of suits. There are
no professional lawyers in China.
I am tempted to express the idea
that

that frudom cannot exist in a country which has no lawyers. But there is a class of persons who prepare law papers. They are accounted a shrewd and not very reputable class.

The papers first go before the Tipao. This is the lowest of Chines officials. There are several of these in the cities. He exercises direct and personal control over the people. He acts as constable, makes arrests, and hands the offenders over to the district magistrates. The Tipao puts his seal on the paper. It goes through several hands and is taxed with fees, which do not seem to be excessive. The defendant is summoned. He prepares his defense which takes the same course as the complaint. Sometimes the defendant bribes the police not to arrest him. But ultimately the parties appear before the magistrate. An appeal lies from the district judge to the departement judge, and from that office to the Provincial judge, and up to the Governor and Governor General there to the Capitol. These appeals are

are not unusual, and, it sometimes happens, that the inferior judges are punished by imperial rescript for not having discovered the truth and for rendering erroneous judgments. There does not seem to be any independence in the judiciary as in other countries. The expense attending litigation, and the principle, above alluded to, that the plaintiff may be punished for bringing a wrongful suit, causes the Chinese to avoid law suits.

The chief peculiarity of the Chinese system is the Censorate. Censors inspect every province in China. There are 56 in all, distributed over 15 circuits, embracing the Eighteen provinces, besides the Metropolitan circuit. The duty of these officers is to inform the Sovereign upon all subjects connected with the welfare of

the

the people and the conduct of the Government. The Censors memorialize the Crown at pleasure, and find favor even with the Emperor. All abuses are brought to the attention of the Government. This institution takes the place of the Press in other countries. But unrestrained license is not allowed. I have seen several cases in which the Censors have been adjudged to have handed in trivial and unsupported charges, and have been censured before the Board of Punishments for the infliction of a penalty.

The basis of the civil and the Commercial law in China seems to be the same as that of the Common law. Custom. As to the Commercial law it seems to be regulated by the rules of the various Guilds more than by any other factor.

There

There are some general principles of law which prevail. In China the inspection of a sample is considered final, and the seller is only bound to give goods corresponding with the sample. The principle of caveat emptor prevails.

No contract is considered binding even if written, unless earnest money is paid.

By Chinese custom, the broker to whom goods are entrusted for sale, is liable for their value. Brokers, who sell goods to parties who fail to pay for them, are held liable as principals to pay for the goods.

A servant may be dismissed at any time being paid up to the time of dismissal.

Verbal guarantees are binding.

The law of partnership seems to be the same as in other countries.

countries. All active partners are held liable for debts of the firm, but sleeping or limited partners are not.

Among the probable reasons why the civil law has not had the same recognition as the criminal law may be cited the following: — the fact that nearly all business is done through compradors, the settlement of disputes by the Guilds, the contempt with which the literati look down on trade, and a certain want of power in the Chinese to apply abstract principles to practical results. This is demonstrated in the little practical use that they have made of the various inventions with which they are credited, such as printing, gunpowder and the compass. Perhaps, the

evidence

residence of foreigners of all nationalities in China, and the numerous Consular and British Courts, administering all of the laws under the same, have contributed to delay the preparation of a code of laws.

I have the honor to be,
Sir,
Your Obedient Servant.
Charles Denby

DEPARTMENT OF STATE
JUL 5 1887
RECEIVED

No 374. One Enclosure.

Legation of the United States.
Peking, May 24th, 1887.

Mr. Charles Denby.
to the
Secretary of State
Subject.

Transmitting duplicate account for expenses incurred on tour of inspection to Shanghai, etc.

— -- —

No 374. One enclosure.

Legation of the United States.
Peking, May 24th, 1887.

Honorable Thomas F. Bayard.
Secretary of State
Washington.

Sir:—

I have the honor to hand you enclosed, duplicate statement of my account for expenses incurred on my recent tour of inspection.

1374.

I have the honor to be,
Sir,
Your obedient servant
Charles Denby.

Enclosure 1.
Duplicate statement as above.

Confidential

Mr. Adler
Read by the
Secy

DEPARTMENT OF STATE
JUL 5 1887
RECEIVED.

Mr Everett

No. 375.

Legation of the United States.

Peking May 25th 1887.

2D ASSISTANT SECRETARY
Ack by No. to file
JUL 7 1887

Mr. Denby to the

Secretary of State.

Subject.

The libel suit of Admiral Shufeldt and his letter on Chinese matters.

Synopsis.

An abstract of this letter. Its republication at Tientsin. The propriety of the Government's rebuking officers who publish abuse of other Governments. Exaggeration of the article exposed. Appeals to force without cause denounced. Some observations on the condition of China and her treatment of the United States. The ignorance of transient travellers exposed.

Confidential.

No. 375.

Legation of the United States.

Peking May 25th 1887.

To the Honorable

Thomas F. Bayard

Secretary of State

Washington, D. C.

Sir:

I have the honor to make a few observations which I have marked confidential.

Trivial matters sometimes produce important results. A complete comprehension of diplomatic relations sometimes depends on information as to subjects which

which are not on their face connected with affairs of Government. In the curious courting of China by foreign powers, acts done or words uttered by persons of prominence connected with any nationality are magnified by rumor.

You are aware that Admiral Shuffeldt has sued the Shanghai "Courier" for libel on account of the publication of the articles of which I sent copies with my despatch No 312 of February 18th 1887. This action is in all respects unfortunate. Unless he is charged with

a

a felony an officer of the Government should bear all criticism and live it down. There is no adequate compensation for unfavorable mention even in a favorable result of an action for libel. But with this phase I have nothing to do.

The defence of this law-suit is being prepared by Mr. Drummond of Shanghai, who has lately visited the Viceroy at Tientsin, and has, it is understood enlisted his warm assistance. The "Chinese Times" of May 21st republishes a letter of Admiral Shuffeldt written

written to Hon. A.A. Sargent January 1st 1882. This publication is evidently intended to prejudice the Admiral's case: It is well designed to accomplish this result.

It is a most abusive tirade against the Government, the officials and the Empress of China. He charges the people with deceit, ineradicable hatred of foreigners, want of gratitude, conceit and nearly everything else that is disputable. He says that the only appeal that is appreciated is the appeal to force. He thinks foreign

powers

powers err in encouraging "Western Civilization", and that right or wrong they should always act with decision. He criticises the United States because it pursues a policy of moral suasion and claims that it should rely on force, pressure, not persuasion. He proclaims that the Empress "is an ignorant, capricious and immoral woman".

Li Hung Chang is said to be "fifty nine "years of age, six feet two "inches in stature, has a "cold, clear, cruel eye and an

"an imperious manner."
He has "a contempt for
western nations and
hatred for all foreigners."
He then describes the efforts
to create an army and
navy accurately enough
but he interspeses all his
observations with stringent
criticism or denunciation.

Western nations, he
says, should check rather than
accelerate Chinese progress
in the art of war.

He charges that China
is particularly antagonistic
to our form of government.
He describes General Grant's
visit to China as dramatic
rather

rather than real in effect.

He concludes that our policy toward China and the Chinese in the United States should be "purely selfish", and "by no means "governed by the fallacious "idea of international "friendship or even the "broader ground of a common "brotherhood."

Such articles as this, published by an officer standing high in the service of the United States, are seized on by all other nationalities to create prejudice and awaken in the minds of the officials

in

in China resentment and ill-feeling. The Chinese do not understand how such views can be openly given to the world without some rebuke from our government following them. They, more or less, hold us responsible for their publication.

While the private citizen may utter with impunity any opinions he pleases it seems to me that an officer in any branch of the public service should be prohibited from libelling in the public press over his own signature a whole people and

especially

especially a woman.

Admiral Shufeldt's offense is past and gone, but it may suggest to you the propriety of the government's rebuking such conduct in the future. Relations with coequal foreign powers are too delicate to permit of their being subjected to the friction of public denunciation by the high officers of the government who are serving or have served abroad.

While there is some truth in this article, it is in the main exaggerated unjust and irremediable. It tends to do harm to all

all American residents in China, and to embarrass all representatives of the Government in the discharge of their duties. It is couched in a baneful rhetoric and is replete with suggestions of appeals to force.

If there is anything in our relations with China that calls for force I have not discovered it. The Chinese Government has met my demands for pecuniary compensation for injuries by mobs with ready acquiescence.

How is force to be

applied

applied and when? Why
should we arogate to
ourselves the right to coerce
any foreign power to adopt
our views of government?
Why should it be imagined
that we have the right to
send a navy (which we have
not got) to bombard Chinese
cities because the people
prefer their own form of
government to ours, or because
the sentimental traveller
imagines that they do not
like us?

No such appeals for
the exercise of force come
from the mercantile class
or the missionary class -

the

the two classes who best know China. It is the cursory traveller, or the disappointed applicant for position who makes the newspapers resound with bloody ideas and with vengeful hopes.

Let it also be said that this same class humbly travel over China and return home to denounce all missionaries as idle, worthless and self indulgent. Nowhere do they take the trouble to examine the splendid colleges, schools and hospitals which dot the surface of the empire.

Nor

Nor do they look into the great printing offices to see the histories, dictionaries, grammars arithmatics, bibles that the missionaries have prepared for use in China. Utterly without knowledge of either the Chinese or the foreigners in China, they denounce both for the sake of a fallacious smartness.

I am well aware that your policy towards China has been the reverse of what this truculent gentry demands. It has been firm, dignified, courteous and politic. I have endeavored in my position

here

here to faithfully execute this policy.

There is surely nothing to complain of in the intercourse between the two nations during my incumbency of the office of Minister. There are no wrongs to redress, no want of courtesy to complain of, no great pressing reforms to be inaugurated. The transaction of routine business with officials has been smooth and easy. China is ruled by men who desire to do equity and who abhor war. Complications as to her territory do not arise

to

to annoy us. Our business is with trade and the protection of our citizens resident here. There will be, here as elsewhere, occasional jarring over special matters, occasional complaints on questions of taxation, occasional popular outbursts or individual wrongs. They can all be handled without force or threat. They are incidental, if not to humanity itself, at least to the character and condition of this people and the form of this government.

The main misfortune at home is ignorance of

China

China, of her colleges, of her great telegraph lines her steamships, her vast commerce, of the life of the foreigner, of the municipalities existing, of the extenitoriae jurisdiction of the character of the people and the system of government. Fortunately you are possessed of accurate knowledge of all these questions and are not to be swayed by senseless clamor.

I have the honor to be,

Sir,

Your obedient servant,

Charles Denby

file

Mr. Everett.
14

No 376.

DEPARTMENT OF STATE
JUL 14 1887
RECEIVED

Legation of the United States.

Peking May 30th 1886.

Mr. Denby to the
Secretary of State

Subject.

Acknowledging despatches.

No 376.

Legation of the United States.
Peking May 30th 1887.

To the Honorable
Thomas F. Bayard
Secretary of State
Washington, D. C.

Sir:

I have the honor to acknowledge the receipt of your despatches as follows: No 178, April 2nd; 179, April 6th; 180, Apl 7th: 181 April 8th; 182 April 13th; 183, 184 and 185 April 14th; 186 and 187 April 15th; 188 April 16th; 189 and 190 April 18th; 191 April 19th, and of your circulars of April 9th

9th and 15th respectively.

I have the honor to be,

Sir,

Your obedient servant,

Charles Denby

DEPARTMENT OF STATE
JUL 14 1887
RECEIVED.

Mr. Evarts
14

No. 377.

Legation of the United States.
Peking May 30th 1887.

Mr. Denby to the
Secretary of State.

Subject.
Pay of Chinese Army

No. 377.

Legation of the United States.
Peking May 30th 1887.

To the Honorable
Thomas F. Bayard
Secretary of State
Washington, D.C.

Sir:

I have the honor to acknowledge the receipt of your circular of April 15th last directing that certain information as to the pay of the Chinese Army be requested by me of the Imperial Government for the use of the Paymaster General. I will immediately apply to the

the Tsungli Yamên for such information and will report it when obtained.

I have the honor to be,

Sir,

Your obedient servant,

Charles Denby

Copies for F.R.87.

2D ASSISTANT SECRETARY.
Ack by No. + file
JUL 14 1887

W. Everett

DEPARTMENT OF STATE
JUL 14 1887
RECEIVED.

No. 378.

Legation of the United States.

Peking May 31st 1887.

Mr Denby to the
Secretary of State

Subject.

Protocol of the new China and Portugal treaty.

No. 378.

Legation of the United States.

Peking, May 31st 1887.

To the Honorable

Thomas F. Bayard

Secretary of State,

Washington, D.C.

Sir:

I have the honor to report that the following protocol has been published in the Shanghai papers.

"Protocol

"Art. I. A treaty of friendship "and commerce with the "most favored nation clause "will be concluded and "signed at Peking.

Art.

"Art. II. China confirms the
"perpetual occupation
"and government of Macao
"and its dependencies
"by Portugal as any other
"Portugese possession.
"Art. III. Portugal engages
"never to alienate Macao
"and its dependencies
"without agreement with
"China.
"Art. IV. Portugal engages
"to cooperate in opium
"revenue work at Macao
"in the same way as
"England at Hongkong.
"Done at Lisbon, the 26th
"March 1887.

"Henrique de Barros Gome

James

"James Duncan Campbell."

By this agreement the cession of Macao is made absolute. It had been supposed that it would be contingent on the success of the new scheme for the collection of the duty and lekin on opium.

Thus Macao as well as Hongkong becomes a lekin station of China.

I have the honor to be,

Sir,

Your obedient servant,

Charles Denby

No. 379.

DEPARTMENT OF STATE
JUL 14 1887
RECEIVED.

Legation of the United States.

Peking May 31st 1887.

Mr. Denby to the
Secretary of State.

Report aug 12 '87

Subject.

The accounting for fees in Consular Courts and on appeal to the Minister.

Synopsis.

Practically the question only affects the Consul-General. No appeal to Minister had during present term. Revision of Court Regulations and schedule of fees discussed. Suggestion that the particular fees to be accounted for should be specified

No. 379.

Legation of the United States.

Peking May 31st 1887.

To the Honorable

Thomas F. Bayard

Secretary of State

Washington, D. C.

Sir:

As bearing on the subject matter of your despatch No. 181, of date April 8th 1887, I have the honor to make the following remarks.

Outside of the Court of the Consul General questions of fees are almost immaterial in China owing

to

to the paucity of litigation.
On my tour last year
over China I found that
some of the Consuls had
not had a case for
several years and some never.
No appeal has been taken
to this Legation since my
incumbency of the office of
Minister. I have occasionally
advised Consuls on law
questions. Appeals will
always be very rare.

I have sometimes been
inclined to revise the Court
Regulations and the
schedule of fees. But I have
reflected that my successor
might in turn revise my
work

work, that troublesome questions of jurisdiction would be evolved, that years would elapse before the new system would be well understood and perhaps, by the adoption of the one sovereign remedy — a complete judicial system for the East — the labor would be wasted. I adhere to the recommendations heretofore made as to the advantages of such a system. But I consider that we are getting along satisfactorily under a plan which has been in successful operation for many years and I do not press any change.

The

The fees strike me as large but, as in criminal cases the costs are usually boarded out and civil cases are not numerous, I make no recommendations on the subject.

I had some consultation with the Consul General as to some amendments of the Court Regulations. I came to no definite conclusion. I would ask of you leave to go to Shanghai and thoroughly look into the Court procedures if a revision were attempted. I could do very little at Peking.

As

As the fees are now to be accounted for by the Consuls it seems desirable that the particular fees covered by this rule should be specified. If clerk's, marshall's and interpreter's fees are to be included in the accounting the Consuls should be so informed.

I take it for granted that the Consul General, who is most interested in this new rule, will correspond with you on the subject.

I have the honor to be,

Sir,

Your obedient servant,

Charles Denby

DEPARTMENT OF STATE
JUL 25 1887
RECEIVED.

Copies for F.R.'87

No. 380.

Mr Everett 26

Legation of the United States.

Peking June 3rd 1887.

2D ASSISTANT SECRETARY.
Ack by No: & file
JUL 25 1887

Mr. Denby to the
Secretary of State.

Subject.

Railroads in China

Synopsis.

Latest information as to building railroad between Tahu and Tientsin, in Palace grounds and in Formosa.

1

One enclosure.

No. 380.

Legation of the United States.

Peking June 3rd 1887.

To the Honorable

Thomas F. Bayard

Secretary of State

Washington, D.C.

Sir:

(I have the honor to report the latest information touching railways in China.)

The right to build the Tientsin and Taku Railroad has been accorded to the "China Railway Company." [This company was organized on a charter prepared by General Wilson and

omit *

Omit [and myself. This is another illustration of "sic vos non vobis".

1/380

I enclose herewith a proclamation of the Viceroy (which is sufficiently curious. The important point is (to the effect) that the officials will not interfere in the management of the road. The local authorities have also proclaimed that the people are not to interfere with the location of the line and that they will be paid for the right of way.

Another railway item is the purchase of K. C. Chou Yu of the material for a

30 inch line, of 24 lbs rails, of 7 li (about 2½ miles) in length, from the French Syndicate. This is intended for the Imperial Palace grounds at Peking. There will be a locomotive, two first and two second class passenger coaches and a luggage wagon.

The Decauville Railroad is thus thrown overboard and gets no pay for loss of time or material. This company built the specimen road at Tientsin, about two miles long, stocked and operated it for two months. It receives

no

no advantage from its labors in China. It offered to the Viceroy its road and stock for Taels 10.000. The Viceroy offered Taels 4000. The offer was declined. The Viceroy thereupon made a trade with the French Syndicate.

It is admitted by railroad experts in China that the American system is best adapted to the country. It is likely that American cars will be procured for any line that is constructed. The European compartment cars are not thought to be as suitable as

as ours. Another railroad item is that the contract to build 80 miles of railroad in Formosa has been awarded to the firm of Jardine Matheson and Co., an old English Chinese house. [It does not appear that the newly organized Chinese Improvement Company — of which General Wilson is the head — made any serious effort to secure any of these contracts.] * omit *

Means and appliances are necessary for effective work in China. Operating 10000 miles away produces no results.

The

The Chinese are full of the idea that they ought to construct and own their own lines. To the world at large it must be said that it little matters who builds the roads. The main thing is to open up China to foreign trade. (Still I would have been glad to see my fellow citizens in charge of the railway system.)

I have the honor to be,

Sir,

Your obedient servant,

Charles Denby

Enclosure-

1. Proclamation of Li Hung Chang in re railroads,
Tientsin Times, May 21 1887

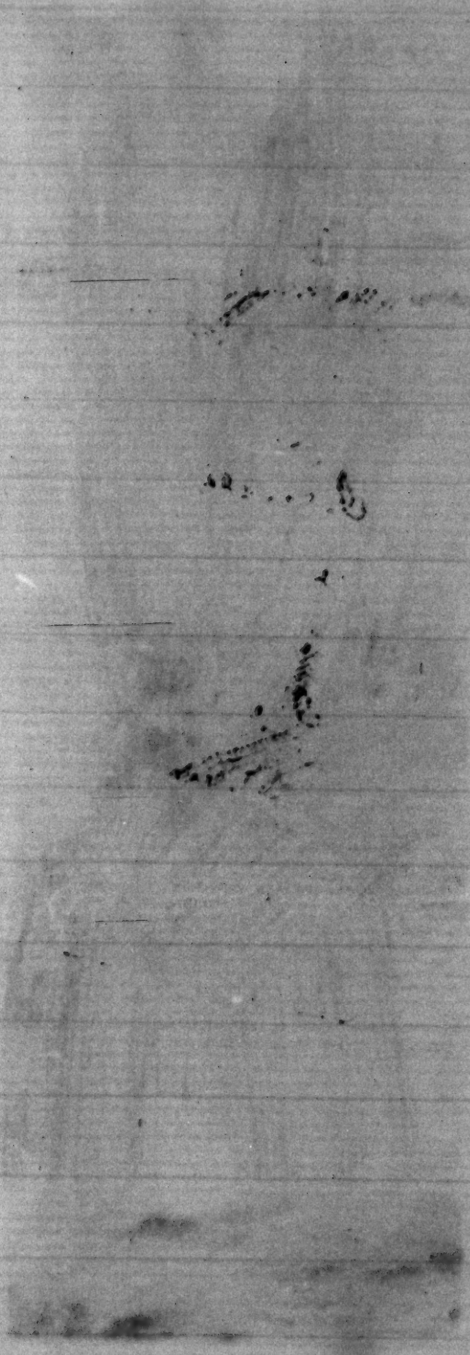
Disp. enclosure with Mr. Denby's 380 - Jun. 3/87.

IMPORTANT PROCLAMATION FROM THE VICEROY.

The China Railway Company, which is to construct ahis line, is entirely distinct from the Chinese Engineering and Mining Company of Kaiping. Wu Ting-fang, general manager of this Railway Company, and others having by order convened a meeting of directors and merchants, at which a set of regulations for the government of the company were satisfactorily drawn up, they were submitted to me by the Chief Directors, Shên, ex-Provincial Treasurer, and Cheu, Taotai. I find that the regulation stipulate that the company in the administration of its affairs, is to act strictly in accordance with the rules and principles observed in commercial business, and it devolves upon the official directors of the company to energetically look after its interests, so that the confidence of the people may be be secured, and that no irregularities in the conduct of the company's affairs will ever occur. A report from the directors states that it is now proposed to raise a share capital of Tls. 1000,000, and printed copies of the company's prospectus and regulations have been circulated. It being feared, however, lest those who live at more as well as less remote distances may not know of the proposed scheme, this proclamation is issued to inform all classes, the officials, gentry, merchants, and people, that railways are popular interests in both Eastern and Western countries, and those of our merchants who have been abroad have personally witnessed the many advantages to be derived from railways. Moreover, wherever railways exist there business and general trade thrive to a much greater extent, and the wealthier classes in Western countries all buy and hold railway shares and bequeath them to their posterity as legacies. China, in her endeavours to imitate Western countries, shall do everything economically and honestly, so that all the net profits shall be equitably divided among the shareholders, in conformity with established regulations, and not the slightest irregularity shall be tolerated. This being an important measure affecting the welfare of the the officials must exert themselves to protect railway interests in order to establish them firmly, while its affairs and measures shall in accordance with the usages of the Western Joint Stock Companies, be decided by the Board of Directors selected by the shareholders in general meeting, the officials not interfering with their authority, but only guarding against malpractices. Intending subscribers to the shares should not hesitate or delay, lest they lose this opportunity. A most important and special proclamation!

Enclosure 1 in No. 380.

The China Railway Company, which is to construct this line, is entirely distinct from the Chinese Engineering and Mining Company of Kaiping. Wu Ting-fang, general manager of this Railway Company, and others having by order convened a meeting of directors and merchants, at which a set of regulations for the government of the company were satisfactorily drawn up, they were submitted to me by the Chief Directors, Shên, ex-Provincial Treasurer, and Chou, Taotai. I find that the regulations stipulate that the company, in the administration of its affairs, is to act strictly in accordance with the rules and principles observed in commercial business, and it devolves upon the official directors of the company to energetically look after its interests, so that the confidence of the people may be secured, and that no irregularities in the conduct of the company's affairs will ever occur. A report from the directors states that it is now proposed to raise a share capital of Tls.1,000,000, and printed copies of the company's prospectus and regulations have been circulated. It being feared, however, lest those who live at more as well as less remote distances may not know of the proposed scheme, this proclamation is issued to inform all classes, the officials, gentry, merchants, and people, that railways are popular interests in both Eastern and Western countries, and those of our merchants who have been abroad have personally witnessed the many advantages to be derived from railways. Moreover, wherever railways exist there business and general trade thrive to a much greater extent, and the wealthier classes in Western countries all buy and hold railway shares and bequeath them to their posterity as legacies. China, in her endeavours to imitate Western countries, shall do everything economically and honestly, so that all the net profits shall be equitably divided among the shareholders, in conformity with established regulations, and not the slightest irregularity shall be tolerated. This being an important measure affecting the welfare of the State, the officials must exert themselves to protect railway interests in order to establish them firmly, while its affairs and measures shall, in accordance with the usages of the Western Joint Stock Companies, be decided by the Board of Directors selected by the shareholders in general meeting, the officials not interfering with their authority, but only guarding against malpractices. Intending subscribers to the shares should not hesitate or delay, lest they lose their opportunity. A most important and special proclamation!



No 381. acted. Aff. approved by Mr. adv. & Mr. Manning Aug 24. Circular

DEPARTMENT OF STATE
JUL 25 1887
RECEIVED.

Legation of the United States.

Peking June 6th 1887

Mr. Denby to the

Secretary of State

Subject

Application for passports under Circular of Feb. 23d

Synopsis.

Suggests a modification of rule requiring oath to be taken before Consular Officer in cases where applicant resides at a distance from Consulate.

No 381.

Legation of the United States.

Peking June 6th 1887.

To the Honorable

Thomas F. Bayard

Secretary of State

Washington, D.C.

Sir:

I have the honor to suggest a further modification of the system of applying for passports, as contained in your circular of date February 23rd, 1887.

The Consul at Chefoo represents to me that, owing to the great distances that the missionaries live

live from the Consulate, their personal attendance to sign the affidavit is impracticable. There are no public conveyances by land in China. Travel is by cart, mule or donkey. It is very expensive and slow. To require a missionary — there are no other Americans in the interior - to travel to a treaty port where we have a Consul, in order to swear to an application for a passport, is a hardship. We have Consulates at less than half of the treaty ports. There are no officers in the interior before

whom

whom an affidavit could be made. The nearest Consul is sometimes more than a thousand miles away. Under these conditions I have suggested to the Consul at Chefoo that he may, for the present, procure parties desiring passports to sign the following statement:

"I, the undersigned,
"do hereby swear that
"the matters stated in
"my application for
"a passport of date---
"are true, and this
"statement shall in
"all respects be held

and

"and treated the same
"as if I had personally
"sworn before a Consul
"of the United States.
- - - - -
"Witness - - - - "

Upon receipt of this statement signed and witnessed, as well as the signed application, [the Consul] he may affix his signature to the jurat.

Should this plan be approved by you I will communicate it to all the Consuls. Should you disapprove of it I respectfully suggest that some other mode should be adopted

to meet the difficulty stated.

I have the honor to be,
Sir,
Your obedient servant,
Charles Denby

F.R. Corr. with July.

DEPARTMENT OF STATE
JUL 25 1887
RECEIVED.

No 382. One enclosure.

2D ASSISTANT SECRETARY.
Ack as an interesting and instructive state paper.
F.R. 1887.
JUL 25 1887

July 28. Cutler

Legation of the United States.
Peking, June 8th, 1887.

Mr. Charles Denby.
to the
Secretary of State

Subject

Enclosing Edict issued by Empress Regent bearing relation to proposed marriage of Emperor.

— -- —

No 382. One Enclosure.

Legation of the United States.
Peking, June 8th, 1887.

Honorable Thomas F Bayard.
Secretary of State.
Washington.

Sir:—

I have the honor to enclose
382. a translation of a recent decree
issued by His Empress.
It indicates the approaching marriage
of the Emperor, but is chiefly an
earnest appeal for Economy.
I send it as a fair specimen
of the utterances of this remarkable
woman.

I have the honor to be,
Sir,
Your obedient servant.
Charles Denby

Enclosure 1.
Translation of decree as above.

A Decree issued by the
Empress Regent.
Published in the Peking Gazette
June 6th, 1889.

The ceremonies attendant
the marriage of His Majesty
the Emperor are of an exalted
and eminent nature, and
it is proper that all necessary
preparations should be made
beforehand.
Let the Comptrollers of the
Imperial Household in due
observance of the rules laid
down in the dynastic Institutes
correctly and with due care
take action in the premises.
The Expenses of the Court are
limited to definite rules. At
present the reorganization
of military matters has necessitated
an

an enormous outlay of
funds. The provinces are
from time to time visited
with calamities such as droughts
and floods. On account of
these it is still more right
and befitting for us to be
mindful of the sufferings
and hardships of the people
and not overtax them.
The practice of Economy
by the Emperor himself
in the Expenditures of his
Court is to lead, or set an
example to the people.
The said Comptrollers and
others must all bear in mind
the purposes of the Court
to attach importance to what
is necessary and to put
aside unnecessary show
and

and luxury. They are to strenuously enjoin upon all officers to thoroughly and honestly attend to the business assigned them and not allow any excess in the way of lounging.

In the matter of expenses let Prince Chun (7th Prince and father of the Emperor) be appointed to scrutinize each account as they enter to the end that the expenditures may be really and honestly made.

As to the many duties incumbent upon the various Yamens to perform, let an examination be accurately made beforehand as to the rites and ceremonial that should

should be observed and
a report be presented to
the Throne to await the
issuance of Our Rescript
to take action accordingly.

Respect this

DEPARTMENT OF STATE
JUL 25 1887
RECEIVED

No. 383. One enclosure. the Seventh 26

Legation of the United States.
Peking, June 10th, 1887.

Mr. Charles Denby.
to the
Secretary of State
Subject.
Chinese Revenue
System.
Synopsis.
Mr. Denby gives a
brief account of the
Chinese Revenue System.

Copied August 1887.

No 383. One enclosure.

Legation of the United States.
Peking, June 16th, 1887

Honorable Thomas F. Bayard.
Secretary of State.
Washington.

Sir:—

As directed by you in your circular of April 9th, 1884, I have the honor to submit the following report upon the financial administration of China.

As compared with nations which have Parliaments to which budgets are submitted the Chinese financial system is in great confusion.

There is no central treasury into which the revenue of the Country is gathered.

There is consequently no budget.

There is no redistribution from Peking of moneys raised there.

Each of the Eighteen Provinces is charged with the control of its own finances. Each province is divided into

into districts. The local magistrate of each district is required to transmit to the Provincial Authorities a certain sum of money. Of the sums so raised the Provincial Authorities are required to transmit a certain sum to Peking. In some provinces tribute rice is also sent to Peking. The Board of Revenue at Peking appropriates the remainder of the collections to certain purposes in each province. The amount sent to Peking annually cannot be ascertained with accuracy. It never exceeded £20.000.000. It is now supposed that about £10.000.000. are annually transmitted to Peking.

This money goes to pay the Mandarins of Manchuria, who are supported by the Emperor, the foreign drilled Manchu soldiers and to support the Imperial Household.

Large sums are contributed as gifts by the Bonzes or Custodians of native Customs, and by Viceroys and other officials who visit Peking.

There are also valuable consignments

of

of silks, embroideries, and curios sent to the Emperor either by officials in the Provinces or by manufacturers. There are certain provinces which send rice - they are Kiangsi, Kiangsu, Anhui, Hupeh, Hunan, Chekiang, Shantung and Honan. The soldiers receive a large portion of their pay in grain. Besides these contributions, various provinces send pewter, wax, orangst, stingon, grass-cloth, sandal-wood, cinnabar, tea, fruits, horses, jars, gutta-percha, hartshorn, fans, clocks, watches, and many other things - all for the use of the Imperial Household.

The Board of Revenue appropriates each year the amount to be paid out of each particular fund for the Peking Contingent and Household Expenses - The following table will furnish an idea of these appropriations.

Hupeh

Kupeh - salt lekin Taels 150.000.
Canton. Foreign Customs. " 260.000.
Shekiang. lekin " 100.000.
Fuhkien. tea taxe " 200.000.
Canton. salt taxe " 200.000.
and so on through the eighteen provinces.

Appropriations are also made to pay the Peking officials an additional salary.

I append hereto a list taken from the Red Book of 1887, showing the amount that each province is required to raise by taxation. But I am informed that the figures are not reliable, that the Red Book of 1887, is simply a republication of a publication made many years ago, and that the figures have never been revised.

The sources from which the Revenue of China is derived are the following:—

Land

Land taxes in money.
Land taxes in grain
Pawn brokers taxes.
Miscellaneous taxes.
Salt.
Native Customs
Foreign Customs
Sekin.

Of the foregoing the only valuable returns published are those of the Foreign Customs. The annual returns from that service in 1886 amounted to taels 15.144.678.
It is estimated that the Sekin collections amount to from 10 to 15.000.000 taels annually, exclusive of collections on account of salt and opium.
There are no statistics of collections on these two articles, but the amount must be very large.
The land tax is, in the rural districts the principal source of revenue. It ranges from

1½ cents to 10 cents a mow, or from 10 to 60 cents an acre, according to the quality of the land.

It is supposed by well informed persons that the Expenditure of the Chinese Government exceed its revenue. The deficiency is made up by contributions from officials.

The debt of China is small. The Bar of Salé made several small loans of various foreign banking and commercial establishments. The collections of the Foreign Customs Service are hypothecated for the payment of these loans. The money so borrowed has been used in erecting coast defences, purchasing vessels of war, and in paying troops. The loans have hitherto been paid at maturity. A list of loans is hereto annexed. 1/383

I am not aware that the foregoing report is incomplete.

Rest

But there are several circumstances which make it nearly impossible to furnish such information as to China as may be procured in European nations. Under the Chinese Government each province raises and disburses its own revenue, sending only a certain defined sum to Peking. This revenue is not fixed by law but by the will of the provincial authorities.

There are no publications of receipts and expenditures as in other countries, no estimates, no appropriation bills. There is no responsibility on the part of the Government to any body of men. It seems to be well understood that any surplus collected by the Hoppos and Provincial Treasurers belong to them with the condition — annexed that they shall contribute large sums to the Peking Authorities. Hence there are no reports of either basis or collections in

the

the provinces.

The Imperial Government makes no levy, has no budget, but simply appropriates certain sums out of certain collections as herein explained. A philosophical mind might make an ingenious comparison between this system and our own but such disquisition is not in response to the circular.

Slip taken from Red Book showing amount of taxation due from each province.

Shingking

land revenue Hs 38.708. grain 59.593 pecks
" 53.09 "
obtained for Mandarin troops.

Chihli

		Taels
land revenue.	collected from Metropolitan Province	154.730
do	do Other Provinces	1.334.470
Pawnbrokers taxes, etc:		32.570
Miscellaneous		41.930
Salt department and gabel		437.949
Native Customs		82.800.

Kiangsu

Kwangtse.

land revenue.	Taels	3.116.826.
pawn taxes		46.930
taxes on red lands along banks of rivers.		93.940
Miscellaneous . .		25.492.

grain, including amount from provinces of Anhui
1.421.273 piculs.

Anhui

land revenue	Taels	1.718.824.
pawnbroken taxes	"	23.384.
taxes on red lands along banks of rivers.		28.584.
Miscellaneous		46.611
salt department and gabel.		2.085.282
Native Customs		799.468

Kiangsi

land revenue	Taels	1.878.682.
pawnbroken, etc.		4.470
salt department and gabel		5.150
Miscellaneous		34.123
Native Customs		220.322

grain 795.063 piculs.

Chekiang.

land revenue	Taels	2.914.946
pawnbroken taxes etc;		10.650
salt department and gabel		502.340
Miscellaneous		38.437
Native Customs		167.190

grain. 677.726 piculs.

Fukkien

Fuhkien.

land revenue	Taels	1.074.490
salt department and gabel	"	85.470
pawn broken tax, etc:	"	24.850
Miscellaneous	"	27.780
Native Customs	"	73.550

Kupeh

land revenue	Taels	1.174.110
pawn broken tax, etc:	"	58.780
Miscellaneous	"	22.540
Native Customs	"	9.644

Grain - 96.924 peculs.

Kwangsi.

land revenue	Taels	883.745
pawn brokers tax, etc.	"	30.530
Miscellaneous	"	14.813

Grain 96.214 peculs.

Kwangtung

land revenue	Taels	3.164.758
pawn broken tax, etc:	"	12.650
Miscellaneous	"	32.030

Grain 221.342 peculs.

Shantung.

land revenue	Taels	3.376.165.
salt department and gabel	"	120.720.
pawn brokers tax, etc.	"	47.850.
Miscellaneous	"	22.711.
Native Customs	"	29.680

Grain 253.963 peculs.

Shansi

Shansi

land revenue	Taels	2.990.675
pawnbrokers tax, etc:	"	31.100.
salt department and gabel	"	507.028
native customs	"	62.763

Honan

land revenue	Taels	1.658.700
Miscellaneous		40.123

Kansuh

land revenue	Taels	280.652
pawnbrokers tax, etc:	"	39.450
Miscellaneous	"	60.780

grain 218.550 piculs.

Szechuen.

land revenue	Taels	632.094.
Miscellaneous	"	20.520.
native customs	"	11.234.

Kwangtung

land revenue	Taels	1.264.304.
pawnbrokers tax etc:	"	5690
Miscellaneous	"	59.530
salt department and gabel	"	47.910
native customs	"	97.520.

Kwangsi

land revenue	Taels	416.399
pawnbrokers tax, etc:	"	25.880.
salt department and gabel	"	47.150.
native customs	"	26.780

Yunnan

Kwangsi.

land tax	Taels	209.582.
Miscellaneous	"	34.256.
Rice and bran.		295.662 peculs.

Kwichow.

land revenue	Taels	101.268
pawnbroker tax etc:	"	13.690
Miscellaneous		13.742
Salt Department and Gabel		6.234.

I have the honour to be,
Sir,
Your obedient servant,
Charles Denby

Enclosure 1.
List of Chinese Government Loans.

Enclosure 1.

CHINESE GOVERNMENT LOANS.

Late German newspapers, both financial and political, are jubilant at the latest victory of German enterprise, in successfully negociating the five-and-a-half per cent Chinese loan. The transaction is pictured as a direct blow at England's prestige, as the bank and stock exchange of the world. This loan is represented as the ninth which China has contracted since 1874. They are as follows:—

1874	8%	£	627,615
1877	8%	£	1,604,276
1878	6%	Tls.	1,989,500
1881	8%	Tls.	4,400,000
1884	8%	Tls.	2,000,000
1884	7%	Tls.	5,000,000
1885	6%	£	1,500,000
1885	—	$	1,894,700

The above loans, with the exception of the one of 1885 over $1,894,700, and which was negotiated with the Chartered Bank of India, Australia, and China, were, we believe, contracted with the Hongkong and Shanghai Banking Corporation.



Dr Smith
No.

DEPARTMENT OF STATE
JUL 25 1887
RECEIVED.

No. 384.

Legation of the United States.

2D ASSISTANT SECRETARY.
Ack by no. + file
F. R. 1887.
JUL 25 1887

Peking June 10th 1887.

Mr. Denby to the
Secretary of State

Subject
Two evidences of awakening
China

Synopsis.

The creation of a travelling mission to prepare officials for their duties.
The introduction of mathematics physics, engineering, history and international law into examinations for civil service.

No. 384.

Legation of the United States.

Peking June 10th 1887.

To the Honorable

Thomas F. Bayard

Secretary of State

Washington, D.C.

Sir:

I have the honor to report two important evidences of awakening in China.

One is the creation of a travelling mission. A number of officials have been ordered to travel at the public expense in European countries for the purpose

of

of acquiring information. Liberal allowances are made and salaries paid. The persons so travelling are to make reports on the places visited and on all matters of public interest. The members are to be replaced biennially with others so that a great number of Chinese may be prepared for positions under the government.

Another important advance has been made. The Tsung-li Yamên has forwarded to the Throne a memorial proposing the introduction of examinations

in

in mathematics and physics into the competition for the civil service. This is to be done in all the Provinces. The successful candidates are then to be sent to Peking to compete for higher grades. At Peking they are to be examined in mathematics, physical science, civil and military engineering, international law and history. The candidates who are admitted to the third degree will receive an honorary official status and official appointments. The Emperor has approved this scheme.

It is known that examinations have been heretofore confined to literary subjects involving a knowledge of the classics. It is at length realized by the government that a literary course does not produce engineers, sailors, soldiers or practical men competent to lead in progress. This scheme will greatly enhance the usefulness of the Tung-wen College, which is presided over by our fellow citizen W. Martin.

I have the honor to be,

Your obedient servant,

Charles Denby

DEPARTMENT OF STATE
JUL 25 1887
RECEIVED.

Jas Spec. F.R. 1887

No 385. One enclosure.

Mr Everett

ASSISTANT SECRETARY.
JUL 26 1887

Legation of the United States.
Peking, June 13th, 1887.

W. Charles Denby
to the
Secretary of State

Subject

Petition on Kerosene oil at Canton.

Synopsis

W. Denby encloses a communication from the Foreign office on the subject embodying a report from the Governor General at Canton.

No 385. One enclosure.

Legation of the United States.
Peking, June 13th, 1887.

Honorable Thomas. F. Bayard.
Secretary of State.
Washington.

Sir:—

I have the honor to enclose herewith a translation of a communication received from the Tsung li Yamen.
385.
The Governor General of Canton enters into a lengthy argument in excuse of the tax complained of by me of which a copy was sent to you in my despatch No 322, of date the 25th of February last. He sets out that the first letkin tax of two mace, eight candareens, and eight cash was levied because of representations that all other goods paid three taxes and Kerosene only one.
The tax of eighty cents a case now complained of, he says, was levied because the people had been subjected to new taxes on account of the increasing

number

number of refineries. He claims that the law does not interfere with the sale of Kerosene which is still sold for good profits.

The duty, he says, is not collected from foreign merchants. Therefore the foreigners cannot be injured. Kerosene is still cheaper than the native oil. The sale of Kerosene has not increased but it has not diminished.

The argument drawn from the danger of fire is then gone over by the Yamen.

Should Kerosene still pose the cause of fire direct action can be taken by the United States and China.

It will be seen that the main question of the power of China to discriminate against foreign goods after their distribution is not argued.

(I do not see that anything more remains for me to do on this question, and will await your instructions.) omit *

It is true, I suppose, that sales of Kerosene has not diminished, a fact which proves that the new law is not prohibitory. (Within what limits the authority omit * *

2D ASSISTANT SECRETARY.

JUL 26 1887

Dear Mr. Moore

See the marked passage on page 3.

Mr. Denby might be told to press for an answer to our point that this exorbitant taxation of imports, after they have paid the specified duties of the conventions, is in fact a violation of the treaty-stipulation.

This whole Cuban question is in a bad way, owing to the

want of concert among the foreign legations as to its treatment.

Take the Canton extra-tax. All the powers, or nearly all, protested against it at first, as contrary to treaty. Now, we are left almost alone, to fight the battle or kerosene. England has turned sheer around, and by a special arrangement with China, permits the collection of the Canton-tax to be made in Hong-Kong — i.e., before importation into China.

Alle
3

authority of China to levy taxes on foreign goods sold by its own people shall be disputed by the foreign powers is not what desired.)

It is likely that the correspondence already had will prevent any further increase of taxation.

I have the honor to be,
Sir,
Your Obedient Servant,
Charles Denby

Enclosure 1.

Translation of despatch as above.
dated June 8th 1857. No. 8.

No 8. Enclosure 1.

The Tsungli Yamen
to Mr Denby.

Peking, June 8th, 1887.

Your Excellency:—

Upon the 25th February last, the Prince and Ministers had the honor to receive a despatch from Your Excellency in regard to the increased levy of Lekin on Kerosene oil at Canton which you regarded as a plain intention to prohibit the introduction of this article. You requested the Yamen to instruct the Lekin authorities at Canton not to impose any further taxation of this kind on Kerosene, &c.

At the time the Yamen transmitted a copy of your Excellency's communication to the Governor General at Canton for his perusal and action in the premises, and also sent Your Excellency a despatch in acknowledgment

acknowledgment,- all of which is a matter of moment.

His Prince and Ministers have now received a report from the Governor General at Canton as follows:-

The Commissioners of the Canton Likin Office report that with regard to Kerosene oil in the 8th year of Kwang Hsü, Chang Chao Ying a native merchant petitioned that all kinds of foreign merchandize shipped into the interior by Chinese merchants had to pay three Likin imposts, namely:- one on shipment of goods, one on examination of goods and one on arrival of goods at destination. That Kerosene oil is the only article exempt from the payment of these Likin duties and that this Exemption was decidedly not fair and Equitable. It was therefore decided that Likin in the sum of two mace eight candareens and eight cash, should be imposed on Each Case of Kerosene oil. This tax has accordingly been collected for some years.

Last year, in the 5th moon owing to the increasing number of robberies at

at Canton, a memorial was presented to the Throne, and the Imperial sanction granted authorizing the raising of money to defray the expenses of patrolling police. The people contributed toward this object for the peoples use and it is a matter of no concern to Lekin. Each article of merchandize is taxed in proportion to the business done. At the time the literati and merchants represented that they had deliberated together; that Kerosene oil was in good demand, there being a large sale of it at extremely good profits, and that it only paid one Lekin tax. They requested that an additional sum of six mace per case be imposed for the period of a half year. There was no opposition to this on the part of the people. Besides the collection of an additional sum on Kerosene toward the patrolling police fund is an extra levy from Chinese merchants; it is not an additional duty

duty collected from foreign merchants.
When goods once pass into the
hands of Chinese they are Chinese
goods and it matters not
whether Likin is paid or a
subscription is collected on them,
the money comes (all the same)
from the Chinese merchants,
and is not a collection asked
from foreign merchants. Hence
there cannot be any loss or
injury to them (the foreigners).
Further, it appears that each case
of Kerosene oil pays an Extra
sum of six mace. This is Equal
to only one candareen, two Cash
per catty. It is retailed to the
people at the rate of four
candareen, four Cash per catty.
Peanut oil from the interior
costs six candareen per catty; thus
the price of Kerosene oil is still
much cheaper than the nut
oil from the interior. Since
this additional import was put
on

on Kerosene the sale of the oil, - although it has not shown very much increase, still there has been no diminution in sales noticeable; and from this it may be perceived that the trade has not suffered.

As to the statement made that the treaty cannot be abrogated by indirect action, in the proclamation issued last year it was stated that the article Kerosene is very explosive in its character x x x x x and will result in a calamity with calamitous Evils"

Now with regard to Kerosene it is an article which causes fire. Of late years in Canton, there have been a great many calamities by fire - mostly caused by Kerosene oil. These are the real and true circumstances. Besides there is a prohibition (against Kerosene) in all foreign countries. For instance, take

take the steamer of Messrs Butterfield and Swire plying between Hongkong and Macao. The carrying of Kerosene is prohibited by them. This shows a prohibitory intention or purpose.

China has again and again enjoined upon her people by the issuance of proclamations that permission is still granted to import (Kerosene) for lighting purposes, so that they may think of its calamitous nature and take necessary precautions in its use, but she has not been willing to restrain or press the matter too urgently. (?)

The Governments of the United States and China) mutually agree to give the most careful attention to the representations of either as to commercial intercourse. (The full text is not quoted Tr.)

In future, if from circumstances calamities occur by fire, which it is difficult to prevent, to the detriment

of

of the people as a matter of
Course the question can be
considered by both the United States
and China, and action taken
in the premises. There will be
no necessity, in a business
not to be mentioned to take
indirect prohibitory action (2)

The Yamen having received
the above report from the
Governor General at Canton,
would state that the representations
made (as based upon) the real
circumstances of the case, and
as in duty bound, the Princes
and Ministers send this reply
for the information of Your
Excellency.

A necessary communication
addressed by the Tsungli Yamen
to His Excellency

Charles Denby
United States Minister
Peking.

Mr Everett

DEPARTMENT OF STATE
JUL 25 1887
RECEIVED.

No 386.

Legation of the United States.

2D ASSISTANT SECRETARY
Ack'd by No. & file.
JUL 26 1887

Peking June 13th 1887.

Mr. Denby to the
Secretary of State.

Subject
Rule XV of Cons. Ct. Regulations.

No 386.

Legation of the United States.

Peking June 13th 1887.

To the Honorable

Thomas F. Bayard

Secretary of State

Washington, D.C.

Sir:

I have the honor to acknowledge the receipt of your despatch No 192 of date April 27th 1887, in which you sustain the legality of Rule XV of the (Chinese) Consular Court Regulations of 1864, relating to the limitations of civil actions.

Your argument is convincing

convincing. I thoroughly acquiesce in the common sense interpretation furnished which still leaves to the Consular Court the right to modify in practice the application of the rule should equity require its modification.

I have the honor to be,

Sir,

Your obedient servant,

Charles Denby

file

DEPARTMENT OF STATE
JUL 25 1887
RECEIVED.

Mr Merritt

No. 387.

Legation of the United States.

Peking June 11th 1887.

Mr. Denby to the

Secretary of State.

Subject

Acknowledging despatches

No. 387.

Legation of the United States.
Peking June 11th 1887.

To the Honorable
Thomas F. Bayard
Secretary of State
Washington, D. C.

Sir:

I have the honor to acknowledge the receipt of your despatches as follows: No. 193 and 194 of May 3rd; 195 and 196 of May 4th; 197 of May 5th, 1887.

I have the honor to be,
Sir,
Your obedient servant,
Charles Denby

DEPARTMENT OF STATE
AUG 1 1887
RECEIVED

Mr Evarts

This for F.R.87.

No 388. one enclosure. 2

Presbyterian
Ag to Hon. Secretary
U.S. San Francisco
Aug. 11. 87
Cantor

Legation of the United States.
Peking, June 17th, 1887.

W. Shaderton Denby
to the
Secretary of State

Subject

Native preacher returning to the United States.

Synopsis.

Transmits copy of letter from Tsung li Yamen in relation to certificate issued to Rev Lai Ki to return to San Francisco.

1/3

No 388. One enclosure.

Legation of the United States.
Peking June 17th, 1887.

Hon Thomas F Bayard.
Secretary of State.
Washington.

Sir:—

I have the honor to enclose herewith a translation of the reply of the Tsungli Yamên to my request that a certificate be granted to Rev. Lai Ti to return to the United States.
The request was made at the pressing instance of two missionaries of the Presbyterian Board of Foreign Missions residing at San Francisco. The applicant had resided in San Francisco until February 5th, 1880, and had there been employed as a preacher of the Gospel.
His services are again urgently required among his fellow nationals in California in the above capacity.
It will be seen that without establishing a precedent, but as a "special arrangement" the Yamên courteously grants my request.
I have the honor to be,
Sir,
Your obedient servant
Charles Denby

388.

Enclosure 1—
The Foreign Office to Mr. Denby. June 14/87.

Informal. Enclosure 1.

Peking, June 14th, 1887.

Hsu Jung-li Yamen to Mr. Denby.

Your Excellency:—

The Minister has had the honor to receive Your Excellency's note stating that the Rev. Alexander J. Kerr, and Rev. C. W. Lowrie, Missionaries of the Presbyterian Board of Foreign Missions in San Francisco, had requested you to apply to the Foreign Office for a passport to enable a native christian to return to the United States. These gentlemen represented that Mr. Lai Ki, a Cantonese, went to San Francisco in 1875, and was from that time until February 5th, 1880, a preacher of the Gospel in that city in connection with the said Board. On the latter date - which is without the limits provided by the Restriction Act -

Mr

to return to Canton, where he has since been engaged as a preacher under the said Board of Foreign Missions. They desire again to secure his services and Your Excellency requests that a passport may be issued to the applicant, &c: &c.

The Ministers would observe that although it does not appear from the Records that the Yamun has ever issued a passport to native christians to proceed to foreign countries for the purpose of preaching the christian doctrine, still as they have received Your Excellencys note applying for a document of this nature, as a special arrangement, for the present case; they issue a passport which is herewith enclosed to Your Excellency for transmission to the said

Christian

Christian Hai Ki.

In future, however, in matters of this kind, as to whether the Yamen should issue the passports or, whether the local offices — exercising jurisdiction in the native place (of the applicant), should issue them, after the Yamen has communicated and made due examination, a uniform set of rules can then be decided upon for action in the premises.

Compliments with cards of seven Ministers.

To His Excellency
Charles Denby
&c. &c. &c.
Peking.

No 389. ✓ One enclosure.

3

DEPARTMENT OF STATE
AUG 1 1887
RECEIVED

accepted & approved Aug. 4. 1887 Fr. Frelinghuysen

Legation of the United States.

Peking June 20th, 1887.

Wm. Charles Dunlop.

to the

Secretary of State

Subject

Judicial

Synopsis

Enclosing judgement on appeal case Banker vs Smith et al from U S boundary Court at Newchwang.

Correct. J. B. R.

No 389 One enclosure.

Legation of the United States.
Peking, June 20th, 1887.

Honorable Thomas F. Bayard.
Secretary of State
Washington.

Sir:—

I have the honor to enclose
389. herewith a copy of my judgement in
the case of Parker vs Smith et al
before me on appeal from the Court
of the United States Consulate at
Newchwang.

I have already in my despatch
No 362 of date May 10th, given a
history of this case.

I have the honor to be
Sir,
Your obedient servant
Charles Denby

Enclosure 1.
Judgement as above.

Enclosure 1.

In the Appellate Court of the United States in China, June 1887.

H. S. Banker, appellant
vs.
A. L. R. Smith
B. F. Blackford
H. U.[c] Thom
C. C. Richards, appellees

} Appeal from the Court of the United States Consulate at Newchwang.

This was an action brought by the Appellant against the Appellees in the Court of the United States Consulate at Newchwang, China. The Appellant was plaintiff below.

The petition shows that the appellant and appellees were partners in the Newchwang Pilot Company, which was dissolved by limitation fixed in the original articles of agreement

March

March 23rd 1887, that the property of the Company consisted of three pilot-boats, that they are in the illegal possession of Appellees, that appellant has a share in said property of the value of $4000.00, that payment has been demanded and withheld.— prayer for judgement for $1000 and all other proper relief.

Apart from the general claim for relief the specific charges made by appellant are two;

First, that the property is in the illegal possession of the appellees.

The answer to this allegation is that no grounds are stated on which to base the charge of illegal possession. The Appellees owned one half the property.

Presumably

Presumably the other three owners are not complaining of their possession. It thus appears that an eighth owner complains that the other seven owners have possession of the joint property. If the interference of a Court is to be invoked some destinctive allegations as to wrong or oppression must be made. If it had been intended to raise the question - which is alluded to in argument - as to the right of a majority of owners to use a ship contrary to the wish of the minority appropriate allegations should appear in the petition. There are no such allegations and nothing in the proof touching the question.

The second charge is that the share of Appellant is worth 1000^{00} and judgement is

is demanded for that sum. The plain answer to this charge is that an action will not ordinarily lie by a partner or part owner against his associates for any specific sum of money.

The interest of a partner in the partnership property is his proper share of what remains after settling up the partnership and paying its debts. He has ordinarily no claim against his co-partners individually. He cannot know what his interest is until full adjustment has been had of all the partnership matters. The record shows in this case that there are debts, some of which are liens on the boat, outstanding. Appellant has no more right to require Appellees to buy his share than

than they have to require
him and the other partners
to buy theirs. In all cases
of dissolution and disagreement
among partners resort should
be had to a Court of Equity
to adjust the mutual accounts,
sell the property, pay the
firm debts and distribute
the residue among the
partners. Stated, therefore,
as a common law action
by one partner against
others of the partners to
recover a specific sum this
action will not lie. One
consideration of itself is
conclusive. These four
Appellees stand in no other
position than do the three
other partowners who are
not in court. By what rule
shall the four pay a debt,
which, if it is owing at all,
is owed by seven persons?

persons?

It remains to enquire whether under the general prayer for relief justice could have been done in this case.

The Consular Courts of the United States are Courts of Equity, Common Law and Admiralty and have all the powers of these Courts. They should not stickle at forms but should aim to do justice between men and men. The law cited by the Counsel from Story and Abbot has no application to the facts. The question here is not whether one partowner can compel a sale of a ship contrary to the wishes of the other partowners, but whether a Court of Equity may settle by appropriate proceedings

the

the affairs of a partnership after it has terminated by limitation fixed and provided for in the original partnership agreement. There is no doubt that the Courts have jurisdiction for this purpose. When a Court has jurisdiction of the person and subject matter it may perform all things which incidentally become necessary to be done in order to furnish complete relief. It follows that with the parties properly before it the Court in this case could have ordered the sale of the joint property.

But, although the reason given by the Court is erroneous, the judgement of dismissal was correct. The petition can scarcely be called a bill in Equity.

Three

Three of the partners were not in Court and their absence was not accounted for. No adjustment of partnership debts was attempted. A personal judgement was demanded which was not warranted by law. It was not shown that the appellees owed the appellant any money. All that was shown was a joint ownership of certain boats and an unsettled partnership that had expired.

It is to be noticed that this judgement does not bar another action.

It is simpler and easier to commence a new proceeding than to undertake to put this one in shape.

Plainly the appellant has rights which should be

be protected. But to secure them all the parties in interest should be before the Court or their absence accounted for.

A personal judgment in favor of the appellant was not warranted by law and a judgement for the sale of appellant's interest in the property would have conferred no title as against the creditors or non-appearing partners. The sale would, therfore, have realized little and the appellant would have been injured by his own excess. . . . . .

In the interest of justice simply, and disclaiming any right to dictate what should be done in this peculiar case, I suggest the following modes of settlement.

1st That the parties, like honest men having common sense, settle fairly the controversy among themselves.
2nd That all the parties interested bring suit against one of the parties before the Consul of his nationality. The jurisdiction of the Court would then be perfect.
3rd That, if parties refuse to bring such a joint suit, separate but identical suits be brought before the various Consuls and a sale be had under all the judgments.
A little ingenuity would suffice to arrange the details in the particular circumstances which surround foreigners in China. All methods must be desired to prevent the failure of justice.

It is therefore considered that

that the judgment rendered in this cause in the Court of the United States Consulate at Newchwang be in all things affirmed and that Appellant pay the costs of this appeal, taxed at $12.54

$12.54

Charles Denby

June 20 1887. Minister of the United States acting judicially.

Legation of the United States
Ss
Peking

I hereby certify that the above and foregoing is a full true and complete copy of the judgment in the above entitled cause as the same appears of record in the order book of the Legation of the United States acting judicially. Witness my hand and the seal of said Legation this 20th day of June AD 1887



P D Thurston
Clerk of Court

ack. 1 D.R.

Mr Everett

DEPARTMENT OF STATE
AUG 1 1887
RECEIVED.

2

No 390.

Copies for D.R.

Legation of the United States.

Peking, June 21st 1887.

Mr. Denby to the

Secretary of State

Subject

Railroads in China

Synopsis.

A contract made to construct a line in Formosa

Difficulties in the building of the Tientsin and Taku line stated.

No. 390.

Legation of the United States.
Peking June 21st 1887.

To the Honorable
Thomas F. Bayard
Secretary of State,
Washington, D.C.

Sir:

I have the honor to report that the Governor of Formosa, Lin Ming-chuan, has made a contract with Messrs Jardine Matheson & Co. for the supply by the latter of rails, rolling stock and bridge for a narrow guage, light weight railway of eighty miles in length.

The

The line is to be from Tamsui to Changhua, the future capital of the island. The only stream to bridge is the Taikia River. It will be spanned by a lattice girder bridge in two sections of a joint length of 1100 feet.

On the Taku and Kentsin line the engineers and workmen are meeting with strenuous opposition from the land owners. The Chinese first take possession and promise to pay the value of the land taken in the future. The people have little faith in

Officials

official promises. They have threatened the officials and driven away the engineers and laborers at various points on the line. The Government has apparently committed the error of entrusting the supervision of railway construction to persons unacquainted with the duties to be performed. It has also entrusted incongruous duties to the chief official. Thus he is the official Superintendent of Railways but he is also Inspector General of Fortifications, Superintendent

&

of the Navy; of the Coast Defense and several other things. This commingling of duties is peculiar to the Chinese. Thus Li Hung Chang is Viceroy of Chihli and he is also in the direction of the War, Army, Navy, Finance, Coast Defense and judicial and ceremonial functions.

It is likely that an Imperial edict will be issued solving the right of way difficulty in an arbitrary manner. Such embarassments in the construction of the experimental line are to be regretted.

Under

Under intelligent foreign guidance they would probably have not occurred.)

I have the honor to be,

Sir,

Your obedient servant,

Charles Denby.

Dis & D.R.

No: 391.

DEPARTMENT OF STATE
AUG 1 1887
RECEIVED.

Legation of the United States.

Peking June 21st 1887.

Mr. Denby to the

Secretary of State

Subject

Franco-Chinese Delimitation

Commission.

No. 391.

Legation of the United States.

Peking June 21st 1887.

To the Honorable

Thomas F. Bayard,

Secretary of State,

Washington, D.C.

Sir:

I have the honor to inform you that the labors of the Franco-Chinese Commission for the delimitation of the frontier between China and Tongking have been brought to a close. All the questions on which the Commissioners disagreed have been settled at Peking.

The

The terms of the convention are not yet ascertainable but I am informed that the French have obtained the privilege of having consular establishments at the capitals of the provinces of Kuei chou and Yiinnan.

I will forward to you the full text of the convention as soon as I can obtain it.

I have the honor to be,

Sir,

Your obedient servant,

Charles Denby

Mr Everett

DEPARTMENT OF STATE
AUG 1 1887
RECEIVED

2

No. 392.

Legation of the United States

Peking June 22nd 1887.

Mr. Denby to the

Secretary of State

Subject

Consular efforts to develop trade

Synopsis. Copied for publication &

Manufacturers' ignorance of the needs of remote markets: Probable that better acquaintance with China market would increase imports. Action of France & Germany in establishing expositions for information of home producers. Suggests that the United States might profit by similar action

No. 392.

Legation of the United States.

Peking June 22nd 1887.

To the Honorable

Thomas F. Bayard

Secretary of State,

Washington, D.C.

Sir:

My attention has been closely fixed ever since my arrival in China on the methods used by the Consular officers of the treaty powers to develop trade between this empire and their respective countries.

It has long since been demonstrated that one of the

the chief impediments in the way of opening new branches of trade in the East was the ignorance in which our producers and manufacturers were of the needs and tastes of these remote countries, where foreign trade is centered in a few localities and in the hands of a very limited number of merchants whose operations are very frequently confined to a certain category of goods. Of course there are exceptions, and some foreign firms do a general import and export business, but I do not beleive

believe that their number is sufficiently great or their operations so extensive as to invalidate my remarks.

It cannot furthermore be expected that in a country like China commercial travellers will ever be able to do much in the way of finding new markets for their goods which are frequently not adapted to the requirements of the people or are made in patterns which do not suit their tastes.

We already manufacture a number of articles especially for the China

market

market, but the list of such goods might certainly be increased if our manufacturers were better acquainted with the wants of the market and could manufacture articles on patterns already adopted by the Chinese and if they were in possession of such information as would enable them to regulate their prices so as to be able to compete with the native producers. I will only mention the article of hardware. Chinese hardware though cheap is of a very inferior quality and it seems impossible that our manufacturers, if

they

they knew the tastes of the Chinese could not produce articles far superior in quality and at such low prices that they could easily compete with the native goods in the Chinese markets.

It is also an undoubted fact that, among the natural products of such a vast country as China, there must be many which would be useful and saleable in America were their uses better known.

The importance of bringing the products and manufactures of remote countries under the eyes

of

of home manufacturers and merchants has for many years been appreciated by some of the European powers who have commercial interests in the East, and they have made efforts to remedy this want.

At least twenty-five or thirty years ago the French Government found that the establishment at Paris of a permanent exposition of the produces and manufactures of its remote colonies and dependencies was highly advantageous to the development of trade.

More recently many of

the

the consular officers of Germany have been collecting specimens of produce and manufactures of their districts and also of the foreign manufactures for sale in the native markets and forwarding them to different localities in the German Empire there to be exposed to the public. Accompanying these samples the consuls have sent such detailed descriptions as might enable interested parties to ascertain if they could possibly compete advantageously with the native manufacturers on their own markets. Different

Chambers

Chambers of Commerce have defrayed the expenses of purchasing and forwarding their goods - expenses which I learn have never been considerable - and have provided room for their exhibition. The German Government has not been called upon to make any allowances or incur any expense in accomplishing this result.

A short time ago Belgium adopted an analogous plan and has opened in one of its chief manufacturing centers an exposition of the produce and manufactures

of

of the Far East.

Last year the French syndicate, which has its headquarters at Tientsin, opened at that place an exhibition of French manufactures for the information of the Chinese and I hear that their plan has already borne fruit.

I would respectfully submit to the Department whether some plan analogous to that followed by Germany might not prove beneficial to the development of our trade with China. The question might, at all events, be submitted to some of the Chamber

Chambers of Commerce in our chief manufacturing towns and, if approved by any of them, the slight expense which they would have to incur would be amply compensated by the valuable information of which they would be able to possess themselves. Our consular officers in China, for their part, would all of them be well pleased to do their share of the work and give this further proof of their earnest desire to develop trade between China and the United States.

I have the honor to be, Sir,
Your obedient servant
Charles Denby

3rd ASSISTANT SECRETARY.
Acc. file.
AUG 2 1887

Wm Laurie
2

DEPARTMENT OF STATE
AUG 1 1887
RECEIVED.

No 393.

Legation of the United States.

Peking June 22nd 1887.

Mr. Denby to the

Secretary of State

Subject.

Celebration of Queen's Jubilee

in Peking.

No 393.

Legation of the United States.

Peking, June 22nd 1887.

To the Honorable

Thomas F. Bayard

Secretary of State

Washington, D. C.

Sir:

I have the honor to report that the Jubilee of Her Majesty the Queen of England was celebrated here yesterday with great eclat.

The ministers of the Tsung-li Yamên and the foreign ministers called on the British minister at three o'clock. The health of

the

the Emperor and Empress of China and of the Queen was drunk. It was stated by Sir John Walsham that the Emperor had delayed his sacrificial visit to the Temple of Earth one day in order to allow the Ministers of the Yamên to make this call. Thanks were returned for this memorable act of condescension and courtesy. In the evening there were fire-works, illumination, a supper and ball at the British Legation, which the entire foreign community and the Marquis Tsêng attended.

The health of the Queen

was

was proposed at the supper by Mr. von Brandt and the health of Sir John and Lady Walsham by myself, to which toasts appropriate replys were made by Sir John.

I have the honor to be,

Sir,

Your obedient servant,

Charles Denby.

F R
Aug 1887

No. 394

Mr Everett
2

DEPARTMENT OF STATE
AUG 1 1887
RECEIVED

Legation of the United States.

Peking June 26th 1887.

Mr. Denby to the

Secretary of State

Subject

Memorial on education reforms

No 394

Legation of the United States.

Peking June 26th 1887.

To the Honorable

Thomas F. Bayard

Secretary of State

Washington, D.C.

Sir:

I regard the enclosed memorial as of sufficient importance to send to you.

It signalizes the adoption of the two very important steps in progress to which I have already called your attention, towit, the sending of ten or twelve officials abroad

to

to study western affairs, and the introduction of mathematics and western science into competitive examinations.

Taken in connection with the construction of a railway in Formosa and the railroads from the Kaiping coal mines to Taku and from Taku to Tientsin it is seen that China has really had an awakening.

Very minute directions are given to the traveling officials to study the customs, politics, fortifications, arsenals, steamships railways, warlike

warlike inventions &c.
in the various countries
visited and to report
thereon. The importance of
the introduction of
mathematics and physical
science as studies cannot
be over-rated.

In the memorial
submitted a labored
argument is made to prove
that this new departure
is simply a return to
ancient Chinese methods.
It is stated that from
1122 to 255 B. C. mathematics
was classed as one of
the six arts, there being
propriety, music, archery,

charioteering

chancellering, study and
mathematics, and from
620 to 907 A.D. "men
"qualified in mathematics
"were selected for official
"preferment." (Whether this
reference to the past be
harmless vanity or whether
it is intended thereby
to preserve the dignity of
China as well as to
ensure favorable reception
of the proposed change of
study does not much
matter.) The memorial marks a
It is a revival of
learning which is destined
to work mighty changes.
Whence the impetus came
is not an essential enquiry.

It is not improper to state, however, that in an analysis of the causes of progress it will be found that our own country, at the beginning, under the ministration of Burlingame and his predecessor and on down to the present hour has born its full share in the material and educational development of China. If other nations, as a late writer in the Atlantic Monthly asserts, opened with their guns the way and we simply followed, it must still be admitted that our peaceful

treatment

treatment has borne ... fruits no
less precious than the
commercial advantages
won by arms.

I have the honor to be,
Sir,
Your obedient servant,
Charles Denby

Enclosure
1. Memorial on education
reforms, N. C. D. N.

No 395.

Sent by mail

DEPARTMENT OF STATE
AUG 25 1887
RECEIVED.

Legation of the United States.

Peking, June 30th, 1887.

Mr. Charles Denby

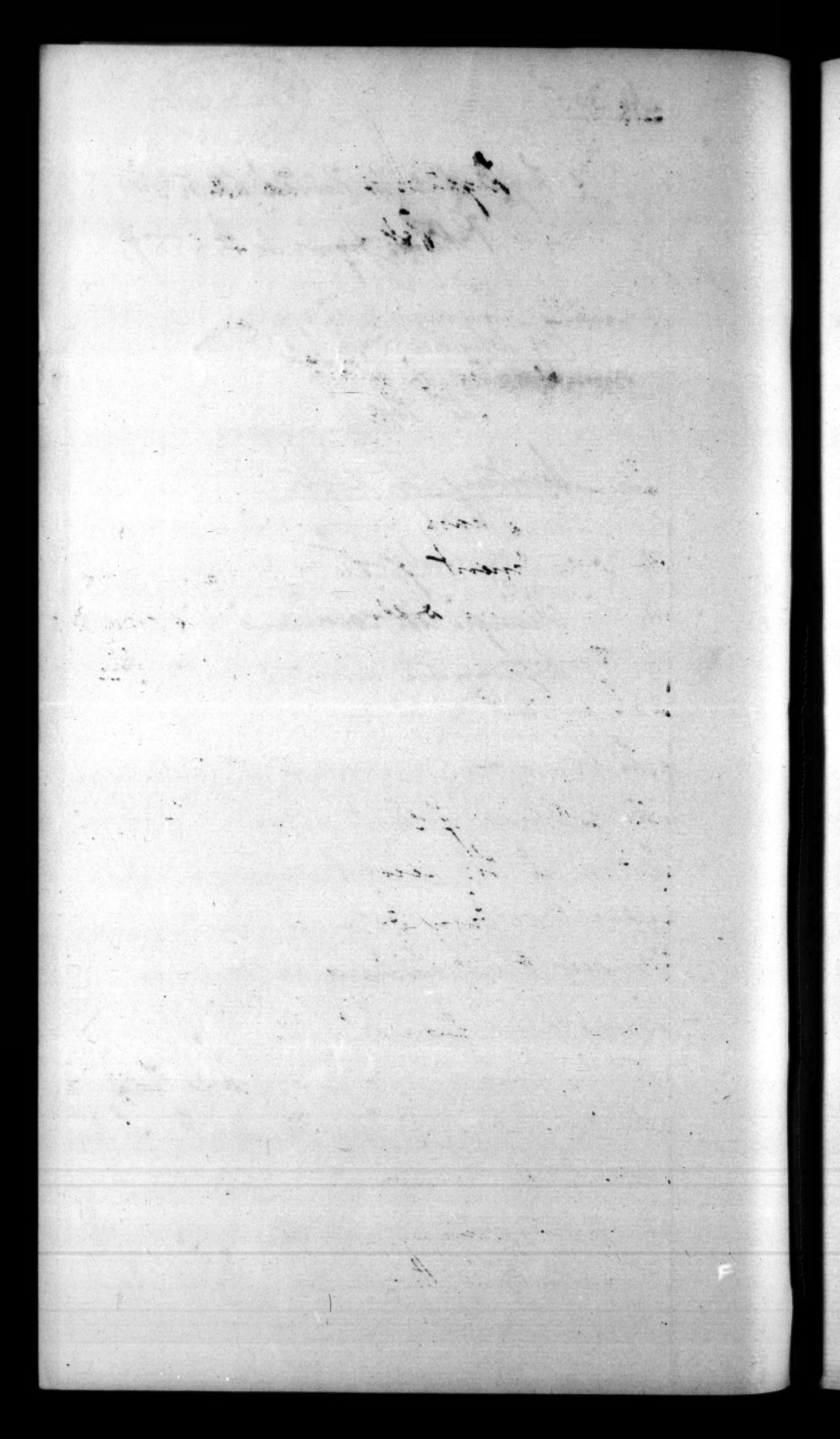
to the

Secretary of State.

Subject.

Changes in Chinese
Diplomatic Service,

— ... —



No 395.

Legation of the United States.
Peking, June 30th, 1887.

Honorable Thomas F. Bayard.
Secretary of State
Washington.

Sir:—

I have the honor to inform the Department of the following changes in the Chinese diplomatic service, made by Imperial Decree issued on the 28th instant.

Li Hung Jen, an important Taotai in the province of Chihli, is retired with the button of the second rank and appointed Envoy Extraordinary and Minister Plenipotentiary to Japan.

Kung Chien, formerly Sub-Chancellor of the Grand Secretariat and holding the brevet title of Vice President of the Board of Ceremonies, is appointed Envoy Extraordinary and Minister Plenipotentiary to the Courts of Russia, Germany, Austria and the Netherlands.

W.

Mr. Kung is said to be a person of eminent literary attainments, having obtained the degree of Chuang Yuen, - the highest literary title conferred at the Palace Examinations. Hsu Jui Fen, the present Chinese Minister to England, and who also represented China at the Court of St Petersburg, retains his position as Envoy to England, and in addition, is appointed Envoy Extraordinary and Minister Plenipotentiary to France, Italy and Belgium.

I have the honor to be,
Sir,
Your Obedient Servant
Charles Denby

W. Millard

No 396. One enclosure.

Legation of the United States.
Peking July 1st 1887.

W. Bladen Esq
to the
Secretary of State
Washington.

Enclosing Salary Account
for Second Quarter
1887.

No 396. One enclosure

Legation of the United States.
Peking, July 1st, 1887.

Honorable Thomas F. Bayard.
Secretary of State
Washington.

Sir:—

I have the honor to hand
1/396. you enclosed my account for
salary for Quarter ended the
30th of June 1887.

I have the honor to be,
Sir,
Your Obedient Servant
Charles Denby

Enclosure 1.
Account as above.

T. M.

W. Williams

No 397. One enclosure

DEPARTMENT OF STATE
AUG 25 1887
RECEIVED.

Legation of the United States.
Peking, July 1st, 1887.

W. Charles Denby.
to the
Secretary of State
Subject.
Enclosing Statement
for second Quarter
1887.

No 397. One enclosure.

Legation of the United States.
Peking, July 1st, 1887.

Honorable Thomas F. Bayard
Secretary of State
Washington.

Sir:—

I have the honor to hand
1/397. you enclosed my account for
Rent of this legation for the
quarter ended the 30th of June
1887.

I have the honor to be,
Sir,
Your obedient servant
Charles Denby

Enclosure 1
Account as above.

T. M.

W. Everitt
No.

Separate. One enclosure.

DEPARTMENT OF STATE
AUG 10 1887
RECEIVED.

Legation of the United States.
Peking, July 1st, 1887.

Wm. F. D. Chester
to the
Secretary of State

Subject

Transmitting Salary
account for second
Quarter 1887.

Separate. One enclosure.

Legation of the United States.
Peking, July 1st, 1887

Honorable Thomas. F. Bayard.
Secretary of State.
Washington

Sir:—

I have the honor to hand you enclosed my account for salary for quarter ended the 30th of June 1887.

I have the honor to be,
Sir
Your obedient servant
F. D. Chambers.

Enclosure 1.
Account as above.

DEPARTMENT OF STATE
AUG 25 1887
RECEIVED.

No 398. Acknd Oct 24 Ans

Mr Jaussen

Legation of the United States.

Peking July 1st 1887.

Mr. Denby to the

Secretary of State

Report Oct. 13. 87
Consul Gen. Shanghai
instructed Oct. 31/87.

Subject.

Encloses despatch to Consul-General on the subject of suggested changes in Court Rules.

One enclosure-

No. 398.

Legation of the United States.

Peking, July 1st 1887.

To the Honorable

Thomas F. Bayard

Secretary of State,

Washington, D. C.

Sir:

I have the honor to request that the enclosed copy of my despatch to the Consul-General be submitted to Honorable J. D. Porter Assistant Secretary of State.

It is a review of despatch No. 116 of the Consul-General to the Honorable

Assistant

Assistant Secretary. I therein undertake to show that the alleged defects in the judicial system in China do not in fact exist and that a revision of the Court Rules is not necessary.

The practice and procedure in the Consular Courts are well understood. They should be altered only in cases of glaring necessity. The wide common law and equitable powers of these courts leave little room for special rules.

I have the honor to be, Sir,
Your obedient servant,
Charles Denby

Enclosure
1. Mr. Denby to Mr. Kennedy No July

Enclosure 1 in No 398.

Mr. Denby to Mr. Kennedy.

No 71. July 1st 1887.

Sir

I have the honor to acknowledge the receipt of your despatch No 41 of date 21st ult., with enclosure.

On the general question of revision of Court Rules I have to say that I doubt the propriety of undertaking such revision for the following reasons. The powers of the Minister are indefinite; the present rules have served their purpose for twenty years fairly well; legislation should be had providing for the needs not only of China but the entire East, any system would be subject of criticism; it is likely that a judicial

system

July 1, 1887

system will be created; and the common law, equity and admiralty powers of the Consular Courts are so great that no serious trouble can ever arise in administering the law. For these reasons, unless ordered by the Department, I will confine myself to supplying glaring omissions.

I proceed to notice seriatim the points made in your able despatch.

In practise there can be no difficulty in construing clause 98. It provides for an unusual tax on litigation, but the Department and Congress may have considered that litigants should bear some portion of the expense of maintaining Courts outside

of

of the territory of the United States. The question is rather one of policy than law and much might be said on both sides.

Clause 105 applies to items of necessary costs not specifically mentioned. As the theory of costs is that they are paid by the parties and then recovered back this clause would cover all costs. The discretion is thereby given to Consuls to affix reasonable charges to the various acts performed by the officers. In my opinion the authority resides in the Consuls to tax, in the exercise of a sure discretion, the losing party with cost of preparing petitions and answers. 27 is analogous to the fee of

$10

$10 in common law cases and $20 in equity taxed in United States Courts at home. In like manner the cost of an "order to answer" may be taxed. In appeal cases, I find by experience there is no trouble. The general schedule governs.

In Estates and Probate matters rule 55 confers full powers to regulate costs and fees. This rule also authorizes Consuls to appoint administrators, when necessary. No greater power than is given in this rule could be given by a Minister.

In Inquests I should not in your place hesitate to adopt proper rules for executing the law. The fees are usually paid by the County

County at home. Legislation may be necessary to secure payment by the Government. But, if the deceased leaves an estate, letters of administration might issue and claim for costs of inquest be filed and allowed.

I will consider the propriety of enacting a schedule of fees in Estates. As you have experience and books accessible I would be glad if you would send me a prepared schedule.

In criminal cases the schedule of fees in United States Courts would govern.

In arbitrations and settlements of cases there can be no impropriety in charging proper fees.

It is well to bear in mind the very wide and unusual jurisdiction

possessed

possessed by the Consular Courts. While the Common law court may be limited by precedent or by statute, when applicable, the range of equity and admiralty, where maritime law applies, is illimitable. The consular court is at the same time and for all purposes a Court of common law and equity. In matters of procedure and practise when no fixed rule exists the court makes its own rule. It is better, I think, to leave a wide discretion to the courts than to limit there powers by arbitrary rules. To prepare a code for the few and widely scattered Americans in China which shall meet all conceivable demands is an impossible

labor

labor. I do not agree on principle with some of the enactments in the Court Rules. Other persons might in turn disagree with me. I do not doubt that your learning, experience and wisdom will, as heretofore, without any serious change in the rules, enable you to administer justice to the satisfaction of litigants, the Government and yourself.

I am etc,

(sigd) Charles Denby

Mr. Moore:

By reference to my report of August 12, '87, page 3 & fol., it will be seen that Minister Denby's reluctance to amend the Consular Court Regulations in China as expressed in his 398, was foreshadowed in his 379.

I send you Consul General Kennedy's views, in his Nos. 116 & 118.

The minister seems overinclined to leave things in the breast of the court. Too much elasticity in the regulation of costs, fees &c. is a dangerous temptation to cupidity, & is certainly not desirable where a prescribed rule is practicable.

Consul General Kennedy appears not only anxious to reform the Regulations, but able to make workable suggestions to the Minister, who in his 379 expressed

requested that in case a re-
formation was ordered he
should be allowed to go to Shang-
hai and do the work in con-
junction with the Consul Gen-
eral.

Unless there is prospect of
legislation on this subject,
I should think that the views
of Consul General Kennedy, the
only officer in China who has
extensive
an knowledge of the practical
working of the consular orders,
should receive most heed
from the Department.

Respectfully submitted,
W. E. Faison

Consular Bureau
October 15, 1887.

DEPARTMENT OF STATE
AUG 25 1887
RECEIVED.

2d ASSISTANT SECRETARY.
Ack'g by No. & file.
F. R. 1887.
AUG 25 1887

(F.R. 1887.

No 399.

Legation of the United States.
Peking, July 4th, 1887.

Mr. Denby
to the
Secretary of State

Subject.
Aborigines of Formosa
Synopsis
Mr. Denby gives an account of the subjection of the above tribe in Formosa by Liu Ming Chuan, Governor of the Island.

No 399.

Legation of the United States.

Peking, July 4th, 1887.

Honorable Thomas F. Bayard.

Secretary of State

Washington.

Sir:—

There has been a good deal of discussion for some years past, as to the best measures to be adopted toward the wild savages in Formosa. The island is of wonderful richness, with a vast extent of fertile land, and a great variety of useful products. It is endowed with forests, pastures, fisheries and mines, and supports a large mercantile as well as agricultural population.

Though the civilized aborgines have

have long been amenable to Chinese control, the wild aborigines have held aloof, submitting when they have submitted only through fear. The Chinese have suffered much from their hands, and it was absolutely necessary that something should be done to bring about a better state of affairs.

Much as the Chinese Government has in the past ten years effected in the way of settling colonists, bringing wastelands under cultivation and opening mines, it has practically been able to accomplish very little with regard to the savages, who, it is said hold possession of a territory which contains rich lands and valuable mines.

It

It was suggested some years ago by certain high authorities, that the only way to deal with the savages, would be to drive them out, or, in other words to exterminate the race. In But to have introduced civilization by means of conquest and slaughter, and the destruction of villages, would have been both cruel and unnatural.

Lin Hsing Chiang, the present Governor of Formosa, who for the past two years has exercised full control in both civil and military matters, and who has devoted special attention to matters

matters appertaining to both Chinese and aborigines, has recently memorialized the Throne, stating that he has brought under subjection 478 hamlets or tribes, numbering over 88.000. Savages, and that he has opened communication through the mountainous region inhabited by them. The memorialist adds that the territory thus recovered contains over 100000 Chinese acres of arable land.

The Emperor commends Lin Ming Chuan, on his able and dexterous management of this affair and has promoted certain military officers who distinguished themselves in carrying out the plan of action and policy of the Governor.

H

It is to be hoped that the Governor of Formosa has approached the wild savages, and brought them under subjection, by means which will not only attach them to the Chinese, but prove successful and advantageous to both races and add to the security of the island.

I have the honor to be,
Sir,
Your obedient servant
Charles Denby

DEPARTMENT OF STATE
AUG 25 1887
RECEIVED.

2D ASSISTANT SECRETARY.
Ack by No. + file
AUG 25 1887

W Williams

No 400 Confidential

Legation of the United States.
Peking July 4th, 1887.

Wm Charles Denby
to the
Secretary of State
Subject
Chinese Soldiers.
Synopsis

Mr Denby gives an account of the Chinese soldier, his character habits &c.

No 400. Confidential.

Legation of the United States.
Peking, July 4th, 1887.

Honorable Thomas F. Bayard.
Secretary of State
Washington.

Sir:—

I have the honor to offer a few observations on the Chinese soldier as they may prove not without interest to you. In doing this, I cannot refrain from making some unfavorable comments upon his general character, and status and of certain methods in vogue among military officers which, to say the least, are not creditable or honorable.—
I have therefore marked this dispatch confidential, believing it prudent

that

that some of the observations I make should not appear in print, or be made public, as coming from a diplomatic representative. Admission to the rank and file of the modern Chinese army is a purely voluntary act. The Chinese agricultural laborer or artisan cannot be impressed into the Imperial service; neither does conscription, which it is said was introduced about ten hundred years before christ, still exist in China. On the other hand, the inducements to enter the army of the son of Heaven are neither many nor great. The pay is poor, and promotion is doubtful and slow; long service is rewarded by no pensions to support declining years; an actual dismissal for offences

offences committed lies at the discretion of the commanding officer without appeal.

It is possible for a chinese soldier to rise from the ranks to any attainable grade; but instances of such success are so rare as to make the chance hardly worth counting upon when reckoning up the pros and cons of military life. Under these circumstances one could hardly be surprised if the various high military officials had some difficulty in disposing of their allotment of soldiers pay, from their inability to secure a sufficient body of recruits to make up the required number.

This

This difficulty, however, is easily disposed of in the following manner. To begin with, the whole personnel, of say, a Lieut: Colonel, down to his private valet, cook, and Ranthoum, appear on his pay sheet, under the heading of rank and file; and by such means he is enabled to keep up a very respectable establishment, with but a comparatively trifling drain on his own purse. Secondly, he is not at all anxious to have his full quota of men in the field, necessitating the full employment of the money grant to which he is entitled. He infinitely prefers to keep about him a sufficient number to allay suspicion and fill up the rest of the sheet with bogus names of imaginary individuals whose

whose pay he quietly sets aside as one of his own perquisites of office.

Then, when the Provincial Commander in chief, arrives on the scene for the purpose perhaps of holding a review, recruits, tempted by a fair bounty and the prospect of only a short term of service, are taken up on all sides and hurriedly trained to make some show in the evolutions of the day, the success or non success of which will depend in a great measure upon the amount of the sum which the Lieut. Colonel is prepared to transfer from his own possession to that of the Commander in chief.

The Chinese soldier may be roughly stated as being in the receipt of a monthly salary of three taels,

or

or as much short of the declared sum as his superior officer deems to make it.

Some years ago a large portion of the Chinese contingent stationed at Canton, only received 9 mace, 5 candareens per month, a little less than one third of the above amount.

His uniform and accoutrements are provided for him. What are known, or sometimes styled as 'disciplined troops' are supposed to be more highly paid than those lower down in the scale of efficiency. These are supposed to consist of picked men and are now usually drilled after foreign fashion. City troops are those placed in defence of walled cities, from which they are seldom

allow moved - their duties partaking
of the nature of police as well
as military functions -
The disciplined troops mentioned
above are not permitted, I
understand, to occupy themselves
with any other work than
that pertaining to their
military life; camp troops,
on the other hand, are
usually allowed to fill
up their leisure moments
by following any occupation
they may choose, and
some of them avail
themselves of this leisure
to add to their scanty pay

by

by shoemaking, sewing &c. &c.

For time hangs heavily on the hands of the Chinese soldier. They have a good deal of leisure time which must be filled up in some way apart from the hours which can be provided for in eating, drinking and sleeping. Gambling helps them out a good deal in this respect; but there is always a proportion of married men with families who cannot afford to spend much of their time and limited means in dominoes.

As a rule a Chinese soldier is a low fellow, devoid of any principle whatever, and is not likely to learn much that is good from the example of

of many of those in authority over him. Of course there are exceptions, but they are few. Shop keepers are glad enough to get rid of them by taking a few cash less for their wares than they would do from the general public, thinking themselves lucky to get off with any payment at all, especially if ten or a dozen soldiers enter a shop together, for one or two of them will be sure to steal something to be divided amongst the party. Recriminations, and possibly a fight will ensue; the shop keeper will lose his goods and be beaten in the bargain, without much hope of obtaining redress from the military

military authorities, each one of the soldiers concerned being readily able to prove an alibi; and the Commandant only too pleased for the honour of his camp that such should be the case.

Very flagrant cases are however, sometimes taken up, and the ringleaders severely punished, even with death. Still the Chinese soldier, instead of being a comforter and protector of peaceful civilians, is much dreaded by the people at large; only less so, in fact, than the terrible incarnation of violence — the disbanded brave.

Instances there are of foreign ladies and gentlemen having

been

been grossly insulted by those supposed-to-be-defenders of peace without the least provocation.
There has been a great deal of talk about reform in China the past two years, but I fail to notice any appreciable change in the chinese soldier. No doubt the time is not far distant when china will have a much more improved military system than at present exists.

I have the honor to be,
Sir
Your obedient servant.
Charles Denby

W Williams

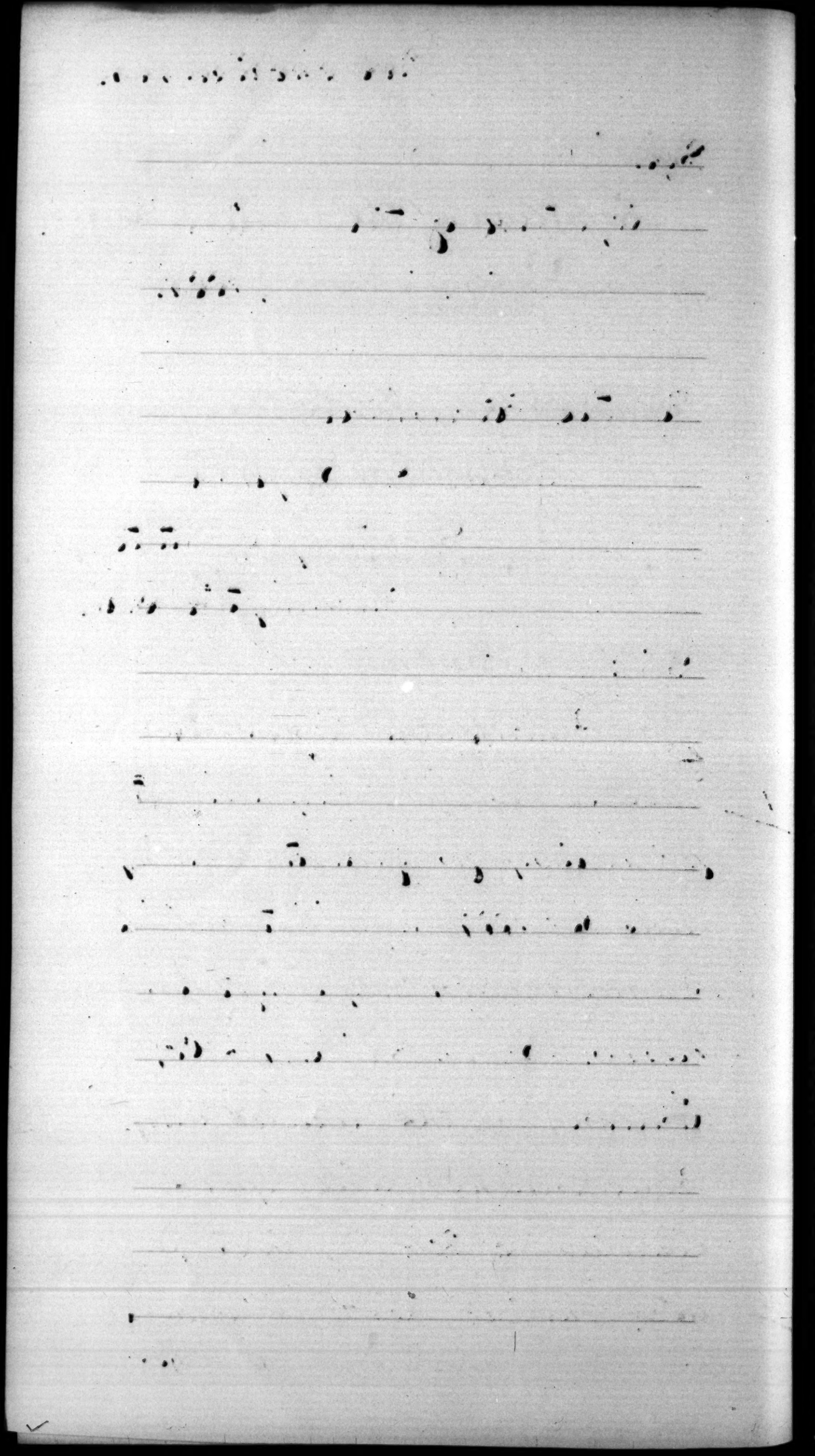
DEPARTMENT OF STATE
AUG 25 1887
RECEIVED

Sep.

Legation of the United States.
Peking July 5th 1887.

Chas. Denby Jr, to the
Secretary of State.

Subject
Salary account.



Two enclosures.

Sep.

Legation of the United States.
Peking, July 5th, 1887.

To the Honorable
Thomas F. Bayard
Secretary of State
Washington, D. C.

Sir:

I have the honor to
1 enclose herewith my account
for salary for quarter ending
June 30th 1887, against which
I have drawn my draft on
Messrs. Brown Shipley & Co;
London, in the usual way.
In accordance with your
circular of Feb. 17th, last, I
2 also enclose herewith account
for

for loss by exchange on above draft.

I have the honor to be,

Sir,

Your obedient servant,

Chas. Denby Jr.

Second Secretary.

Enclosures,

1. Salary account,
2. Loss by exchange account.

DEPARTMENT OF STATE
AUG 25 1887
RECEIVED

No. 401.

Legation of the United States.

2D ASSISTANT SECRETARY.
Ack'd by No. & file.
AUG 25 1887

Peking July 5th 1887.

Mr. Denby to the
Secretary of State.

Subject.

The Upper Yangtze.

No. 401.

Legation of the United States.
Peking, July 5th 1887.

To the Honorable
Thomas F. Bayard
Secretary of State
Washington, D.C.

Sir:

From an account lately written, by Rev. J. C. Hart, of the Methodist Mission, of a trip up the Yangtze to Chungking, I condense the following items of information.

Ichang is 1040 miles from the ocean. It was opened to foreign trade ten

years

year ago.

Steamers have never ventured above Ichang. The ascent is made by boats pulled by men and requires from 20 to 40 days. The river flows through a succession of gorges, low mountains and sandstone hills.

Between Ichang and Chungking there are eleven official towns, and fifty unwalled towns. The population of them is estimated at about five hundred thousand. The entire population along the river is about one million five hundred thousand. Ichang is

is one hundred and twenty-
nine feet above the ocean
and Chungking five hundred
and eighty nine feet. There
are rapids every five miles.
The scenery is grand. Coal
is mined at many places
according to ancient methods.

The rapids nowhere
extend across the river.
Navigation by powerful
steamers is feasible. The
transit down stream is
dangerous owing to the swift
current and sudden turns.

The poppy is cultivated
on half the arable land.
Wheat, barley, peas, beans,
buckwheat and rapseed
occupy

occupy the other half. Rice is cultivated in the hollows and at places where there is water.

Maize and tobacco grow luxuriantly. The trees are banyan, cedars, pines, juniper, oak, maple, ash, bamboo. Camphor trees are rare.

A line of steamers would develop a great trade with western and central China.

Chungking is built on a narrow neck of land which, in some places, is three hundred feet above the river. Great hostility to foreigners still exists there.

There

there are no foreign official representatives there except an English Consular Agent.

What Mr. Hart's views are as to the re-establishment of his Mission at Chungking I do not know. omit * *

I believe that there is now being built in England a steamer especially designed for this navigation. A finer field for an energetic American Company could not be found.

I have the honor to be,

Sir,

Your obedient servant,

Charles Denby

W Williams

DEPARTMENT OF STATE
AUG 25 1887
RECEIVED.

No 402. One enclosure.

Legation of the United States.
Peking, July 6th, 1887.

Mr. Charles Denby.

to the

Secretary of State

Subject.

Transmitting Contingent
Expense Account for
Second Quarter 1887.

No 402. One enclosure.

Legation of the United States.
Peking, July 6th, 1887.

Honorable Thomas F. Bayard.
Secretary of State
Washington.

Sir:—

I have the honor to
hand you enclosed a statement
of my account of Contingent Expenses
for the Quarter ending June
30th, 1887.

I have the honor to be,
Sir,
Your obedient servant
Charles Denby

Enclosure 1.
Statement as above.

T. M.

DEPARTMENT OF STATE
AUG 25 1887
RECEIVED.

No 403. Two Enclosures.

Legation of the United States.
Peking, July 7th 1887.

Wm Charles Denby
to the
Secretary of State
Subject
Enclosing receipt and
Exchange Voucher
which was omitted
to be attached to
Rent Account forwarded
to Department with
dispatch No 397.

No 403. two enclosures.

Legation of the United States.
Peking, July 7th, 1887.

Honorable Thomas. F. Bayard
Secretary of State
Washington.

Sir:—

I have the honor to
enclose receipt and exchange
voucher, for mail, which was
inadvertently omitted to be
attached to the account
forwarded with my No 397.
of date the 1st instant.

2/403.

I have the honor to be,
Sir,
Your obedient servant
Charles Denby

Enclosure 2.
Receipt and Exchange voucher
as above. T.M.

W Williams

No 404. One enclosure

DEPARTMENT OF STATE
AUG 25 1887
RECEIVED.

Legation of the United States.
Peking, July 8th, 1887.

Mr. Charles Denby.
to the
Secretary of State
Subject.
Account for Losses
by Exchange.

No 404. One enclosure.

Legation of the United States.
Peking, July 8th, 1887.

Honorable Thomas F. Bayard.
Secretary of State.
Washington.

Sir:—

Pursuant to the instructions contained in your circular letter addressed to Diplomatic and Consular officers dated the 17th of February 1887, I have the honor to enclose a statement showing the bonds by Exchange contained by me on the several drafts drawn during the quarter ended the 30th of June 1887.

404.

I have, as you will observe, included in the account, the amounts due me on two drafts drawn during the first quarter.

To reimburse me for the amount thus shown to be due, I have drawn my draft on you in the usual manner.

I have the honor to be,
Sir,
Your obedient servant,
Charles Denby

Enclosure 1. Statement as above. J. M.

Kept by Mr Field

DEPARTMENT OF STATE
AUG 25 1887
RECEIVED.

No. 405

Mr. Denby

Legation of the United States

Peking July 11th, 1887.

Mr. Denby to the

Secretary of State.

Subject.

Acknowledging despatches.

No. 405

Legation of the United States.

Peking July 11th 1887.

To the Honorable

Thomas F. Bayard

Secretary of State

Washington, D.C.

Sir:

I have the honor to acknowledge the receipt of your confidential circular of date May 23rd, your circular of May 10th and of despatch No. 204 of May 19th. I also acknowledge with thanks the receipt of your despatches No. 201 of May 11th with enclosure, No. 203 of date

March

March 18th (sic - mistake for
May), 202 of May 17th.

I have the honor to be,

Sir,

Your obedient servant,

Charles Denby

Mr Williams

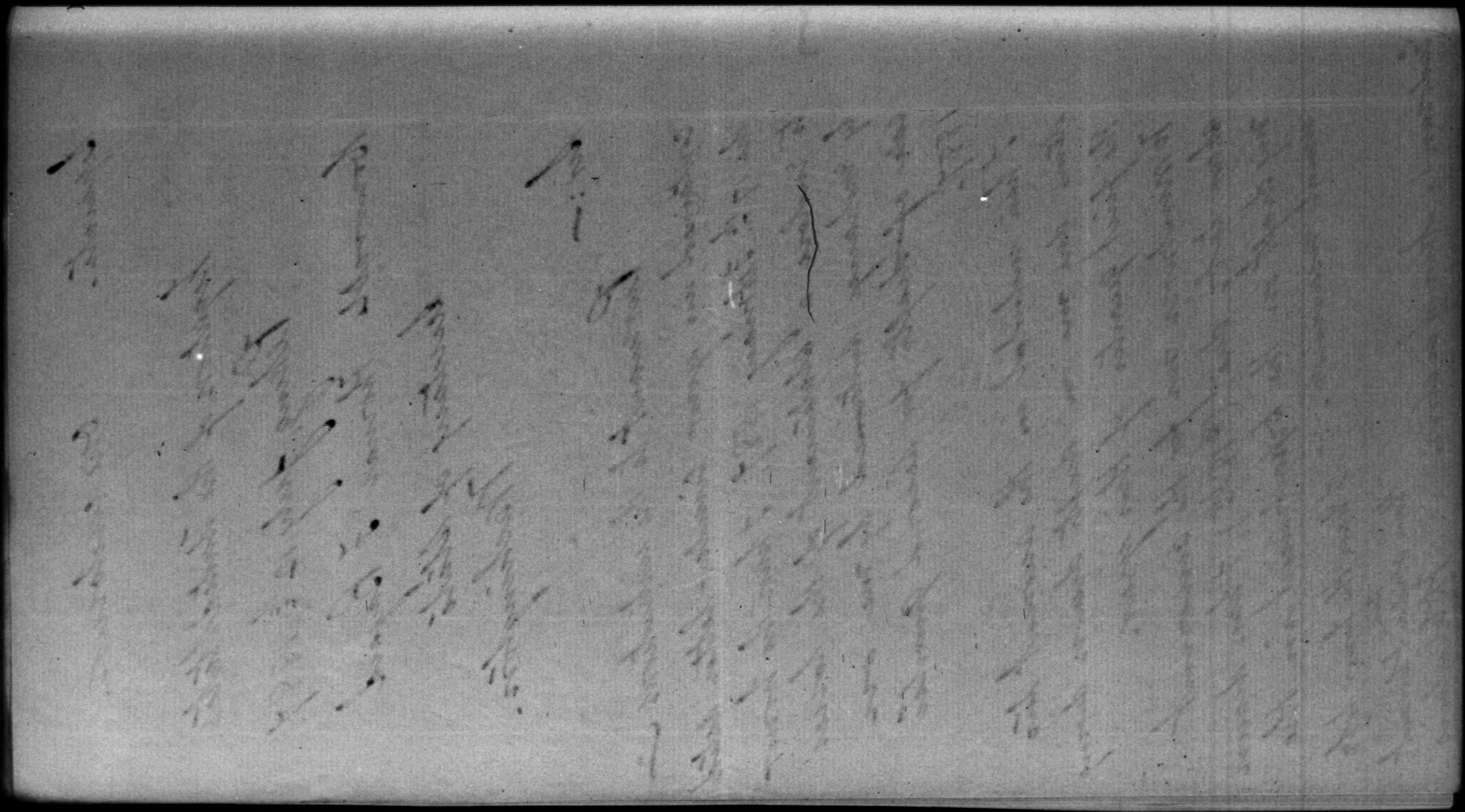
Separate. one enclosure.

DEPARTMENT OF STATE
AUG 25 1887
RECEIVED

Legation of the United States.
Peking, July 12th, 1887.

Wm. F. Sherman
to the
Secretary of State
Cypher

Endorse account
for losses by exchange
for second quarter
1887, &c.



DEPARTMENT OF STATE
AUG 25 1887
RECEIVED.

No. 406. File

Mr Williams

Legation of the United States.

Peking July 14th 1887.

Mr. Denby to the

Secretary of State.

Subject

Forwards Returns of Trade

for 1886.



No. 406.

Legation of the United States.

Peking July 14th 1887.

To the Honorable

Thomas F. Bayard

Secretary of State,

Washington, D. C.

Sir:

I have the honor to forward by this mail under seperate cover duplicate copies of the Imperial Maritime Customs' Returns of Trade for 1886.

I have the honor to be,

Sir,

Your obedient servant,

Charles Denby

DEPARTMENT OF STATE
SEP 3 1887
RECEIVED.

One Inclosure.

Legation of the United States,
Peking, July 14, 1887.

Mr. W. W. Rockhill
to the
Secretary of State.

Subject
Account for salary for the
quarter ending June 30th, 1887.

One Inclosure.

Legation of the United States,
Peking, July 14, 1887.

The Honorable
Thomas F. Bayard
Secretary of State
Washington. D.C.

Sir,

I have the honor to forward to you herewith my account for salary for the quarter ending June 30th, 1887.

I have the honor to be,
Sir,
Very respectfully,
Your obedient servant,
W. W. Rockhill
Secretary of Legation

Inclosure.
1- Account for salary as above.

DEPARTMENT OF STATE
SEP 3 1887
RECEIVED

Two Inclosures.

Legation of the United States,
Peking, July 15, 1887.

Mr. W. W. Rockhill
to the
Secretary of State.

Subject

Losses by exchange on salary drafts for the half year ending June 30, 1887.

/

Two Inclosures.

Legation of the United States,
Peking, July 15, 1887.

The Honorable
Thomas F. Bayard
Secretary of State
Washington D.C.

Sir,

I have the honor to
forward to you herewith my
account for losses by exchange
on salary drafts for the half
year ending June 30th. 1887.
Inclosure 1 covering the quarter
ending March 31st last during
which time I was acting as
Chargé d'affaires ad interim in
Korea, and inclosure 2 the quarter
ending

1-2/-

ending June 30th last.

For the period extending from the 1st to the 10th of April inclusively during which time I was in transit from Söul to Peking I have not yet drawn the extra compensation allowed me by law pending the instructions which you may be pleased to give me.

I have the honor to be,
Sir,
Very respectfully,
Your obedient servant,
W. W. Rockhill
Secretary of Legation.

Inclosures.
2 Accounts as above.

DEPARTMENT OF STATE
SEP 3 1887
RECEIVED

Two Inclosures.

✓ acted Sept. 1st. by Cust.

Legation of the United States,
Peking July 15, 1887.

Mr. W. W. Rockhill
to the
Secretary of State.

Subject.
Account for losses by exchange
on salary drafts for 1886.

Two Inclosures.

Legation of the United States,
Peking, July 15, 1887.

The Honorable
Thomas F. Bayard
Secretary of State
Washington D.C.

Sir,

I have the honor to forward to you herewith my accounts for losses by exchange on salary drafts for the year 1886. Inclosure 1 covering the period prior to my departure for Korea, and showing a balance due me of $36.77, and inclosure 2 the period of 1886 during which I acted as Chargé d'Affaires

1-2/-

ad

ad interim in Korea, with a balance in my favor of $10.49/100

For the above sums I have drawn upon you in separate drafts which I hope will be duly honored on presentation.

I have delayed thus far forwarding these accounts in the hope of receiving definite instructions on the mode of drawing my salary while in Korea - These instructions not having yet been received, I have not presumed to defer any longer a settlement of these accounts.

I have the honor to be,

Sir,

Your obedient servant,

W. W. Rockhill
Secretary of Legation.

Inclosure.
2- Accounts as above.

Mr Wil

DEPARTMENT OF STATE
AUG 25 1887
RECEIVED

Sep. File

MWilliams

Legation of the United States.
Peking, July 15th 1887.

Chas. Denby Jr. to the
Secretary of State.

Subject.
Duplicate salary account.

Two enclosures.

Sep.

Legation of the United States.
Peking, July 15th 1887.

To the Honorable
Thomas F. Bayard,
Secretary of State,
Washington, D.C.

Sir:

I have the honor to
enclose herewith duplicate
1 account for salary for quarter
ending June 30th 1887, against
which I have drawn my draft
on Messrs. Brown Shipley & Co,
London, in the usual way.
In accordance with your circular
of Feb. 17th last I also enclose
2 herewith duplicate account

for

for loss by exchange on above draft.

I have the honor to be,

Sir

Your obedient servant,

Chas. Denby Jr.

Second Secretary.

Enclosures

1. Salary account.

2. Loss by exchange account.

Gold $400 allowed by Secy Sept 15 1887



No. 407.

Legation of the United States.

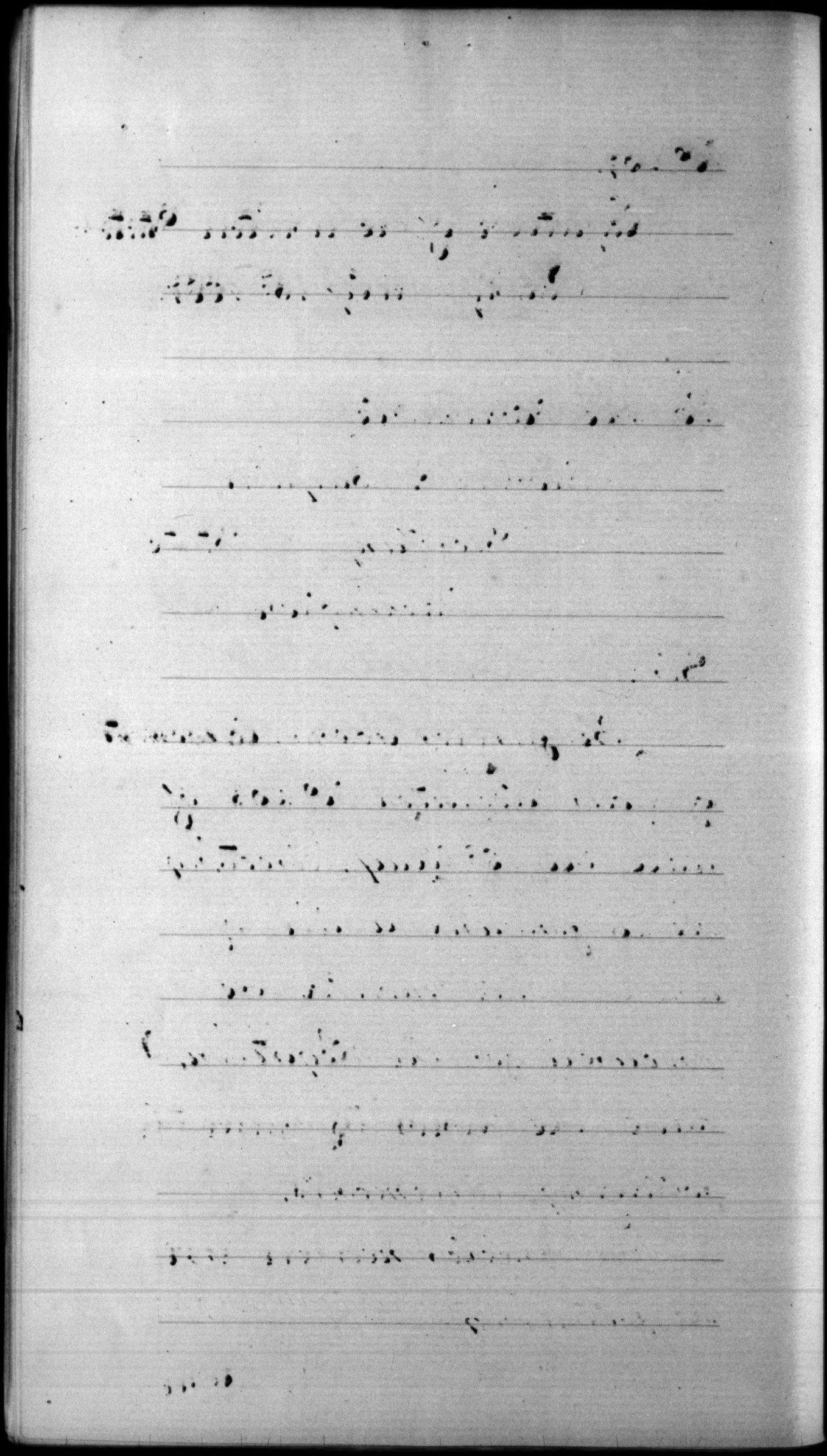
Peking, July 15th 1887.

Mr. Denby to the

Secretary of State.

Subject.

Legation furniture.



No 407.

Legation of the United States.

Peking July 15th 1887.

To the Honorable

Thomas F. Bayard

Secretary of State,

Washington, D. C.

Sir:

In further acknowledgement of your despatch No 203 of date the 18th May, directing me to forward a list of articles that should be procured for the Legation, I have the honor to make the following statements.

The articles needed are the following:

One

One stove for the hall,
Two or more rugs for the
reception room,
An extension table and two
dozen chairs to be used for
the entertainment of official
and Chinese visitors,
Curtains for two windows.

I am unable to state
the cost of these articles If
I delay until I can
ascertain the prices the
articles might not arrive
in time for the next fall,
but if you will limit me
to say $500.00 or $600.00 I will
spend the sum prudently.

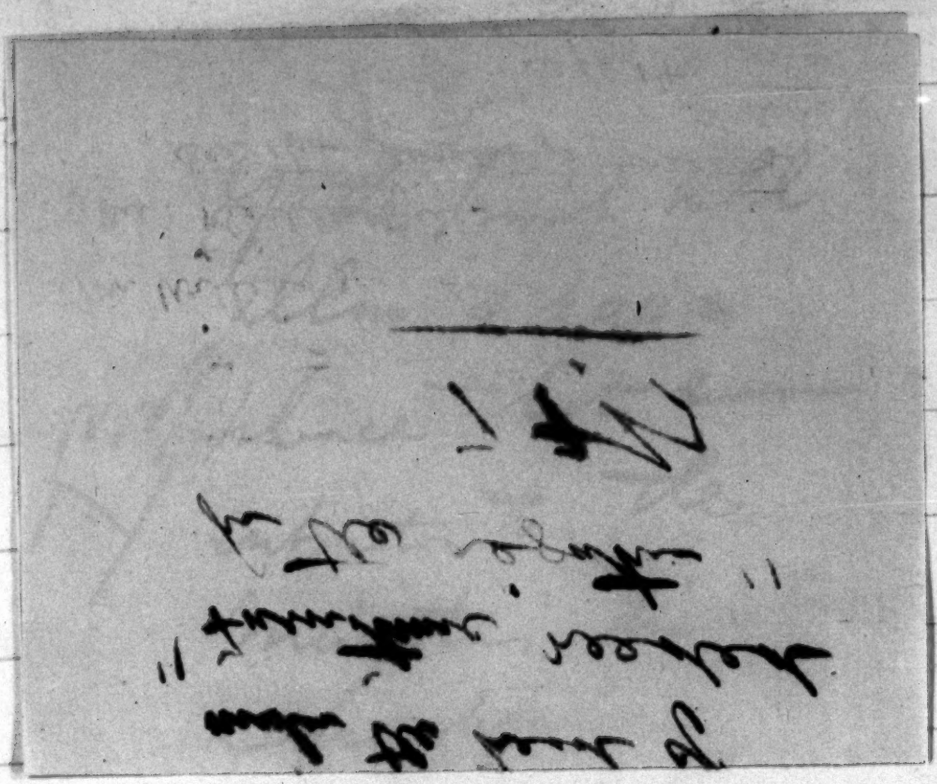
I have the honor to be, Sir,
Your obedient servant,
Charles Denby

Mr. Williams
+
Mr Kieckhoefer

If the fund will allow $4000 place that sum subject to the Minister's discretion expenditure under the head of "Furniture needed in the Legation"

7 ✓ 7

Mr Williams
+
Mr. Kieckhoefer -
See the Secretary's direction
a d d
Sept 14.



2D ASSISTANT SECRETARY.
Mr Williams
+
Mr Kieckhoefer -
SEP 12 1887

For the Secretary:

I think you should decide whether these articles should be allowed. They all seem to be residential rather than official, and the aggregate price, $500 or $600, strikes me as high.

1. The stove is necessary, I think.
2. The extension table and chairs are evidently to furnish the dining room.
3. The rugs are for the residence parlor, I assume.
4. It is not stated in what room the curtains are needed.

We have been furnishing the Legation residence for 15 years - even to cradles &c - These items are more legitimate than many we have heretofore allowed.

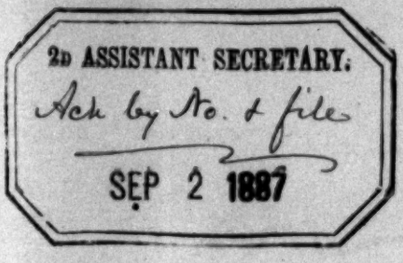
Can we give Mr. Denby $400 - and call a halt? Reply

aas

Mr Williams

No 408. one enclosure





Legation of the United States.
Peking, July 16th, 1887.

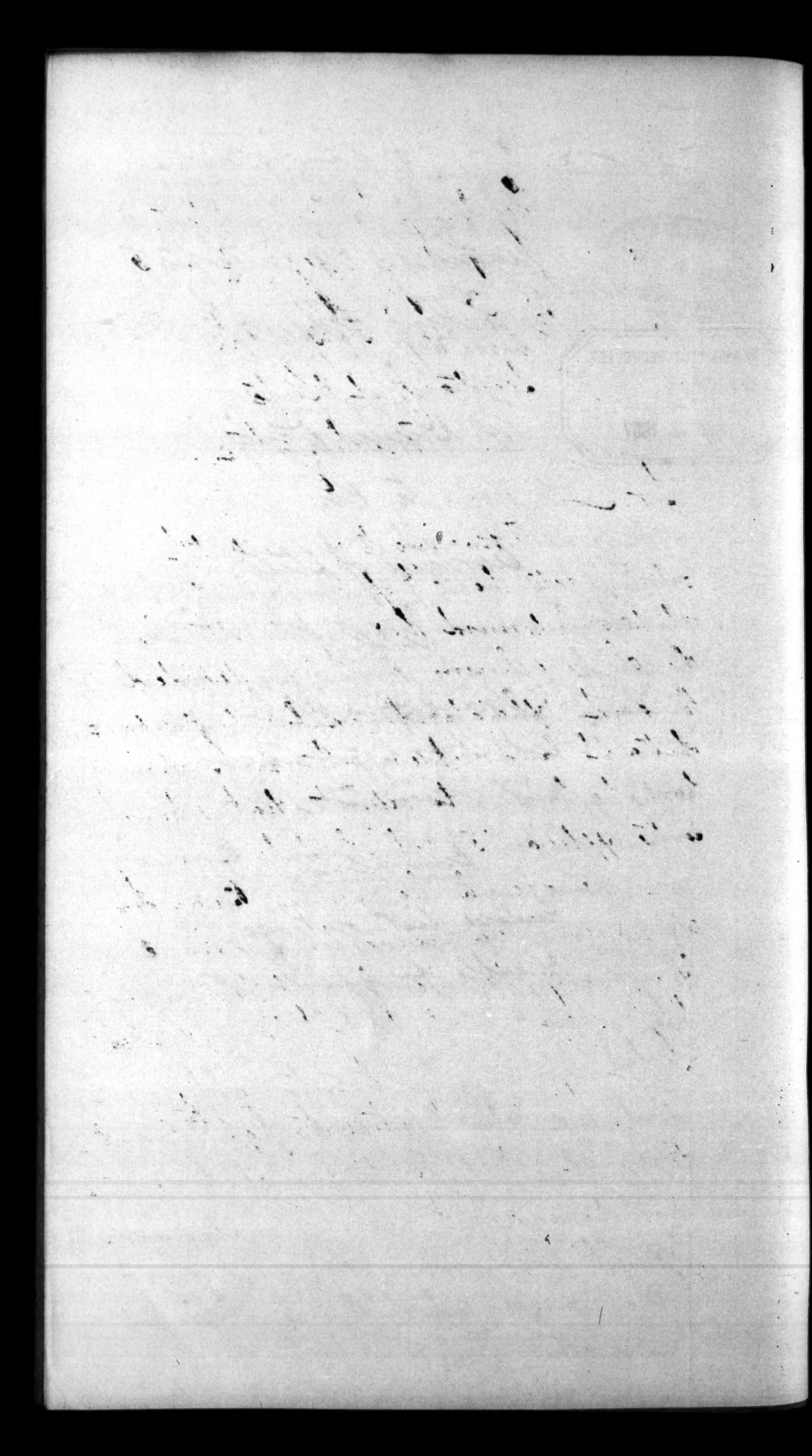
Mr. Bladen Secy.
to the
Secretary of State.

Subject.

Chinese officials to be
sent abroad for travel
and observation.

Synopsis.

Enclosed list of those
eligible for appointment.



No 408.

Legation of the United States.
Peking, July 16th, 1887.

Honorable Thomas F. Bayard.
Secretary of State
Washington.

Sir:—

Referring to my despatch No 384, of date the 10th of June 1887, in which I informed the Department that the Chinese Government had decided to send officials abroad for the purpose of travel and observation, I now have the honor to report that about thirty applicants, who had been recommended by the various Boards, were examined some time since by some of the members of the Tsung-li Yamen, including the Marquis Tseng.

Of this number twenty eight were declared eligible for appointment.

408. I enclose a list giving their names, age, literary standing and present official positions.

I understand that the themes given the essays to be written were

boast

coast and frontier offices, Railways and Foreign Relations.

It will be necessary, I think, for the successful competitors to first have audience of the Emperor, and then twelve of them will be selected by the Emperor himself, or by the Tsung li Yamen, subject to His Majesty's approval to be sent abroad the first year, the others being eligible for selection when the second and third lots are sent and so on.

I may mention in this connection that it is proposed to send not more than twelve officials each year, and that the time allowed them to travel is two years.

I have the honor to be,
Sir,
Your obedient servant
Charles Denby

Enclosure 1.
List as above.

List of Officials eligible for appointment to Search in Western Countries.

Tsu Yün Lung. native of Chekiang, student of the Imperial Academy, and Expectant Junior Secretary of the Board of War. Age 46.

Mun Yen Kwei. native of Kiangsu, a Metropolitan graduate, Apprentice Board clerk assistant Secretary of Board of Revenue. Age 33

Kin Ho Kiun. native of Kiangsu, a Metropolitan graduate, Apprentice Board clerk assistant Secretary of Punishments. Age 44

Kiun Chi Tsung. native of Kiangsu. a Metropolitan graduate, Apprentice Board clerk assistant Secretary of Board of War. Age 33.

Ching Chao Tsu. native of Kiangsi. Student of the Imperial Academy, Expectant second class assistant secretary of Board of War. Age 38.

Li Ping Jui. native of Kiangsi. a Metropolitan graduate, Apprentice second class assistant secretary of Board of ~~Civil Offices~~. Age 32.

Li Ying Jui. native of Shantung. a Metropolitan graduate, Expectant second class assistant secretary of Board of Punishments. Age 40.

Kiang Chao Ch'en. native of Kiangsu, a Metropolitan graduate, Expectant second class assistant secretary of Board of Punishments. Age 31.

Ch'en Kei Tang. native of Kiangsu. a Metropolitan graduate, Apprentice second class assistant secretary of Board of Works. Age 31.

Kang Kwei-sun. native of Chekiang. a Metropolitan graduate, Apprentice Second class assistant Secretary of Board of Revenue. Age 32

Kwei Heng Fei. native of Shuntien (Peking) Student of the Imperial Academy, expectant Second class Secretary of Board of Revenue. Age 32.

Shih Ping. native of Kwangsi. a Metropolitan graduate, apprentice Second class assistant Secretary of Board of Revenue. Age 33.

Wang Kwei-sung. native of Honan. a Licentiate. Expectant Second class assistant Secretary of Board of Revenue. Age 44.

Yen Heng Kwei. native of Shansi. a Provincial graduate, Expectant Second class assistant Secretary of the Board of Works. Age 40.

Fri Ti Pas. native of Kiangsu, Student of the Imperial Academy, Expectant Second class assistant secretary of Board of War Age 41

Ho Seng Yün. native of Szchuen. a licentiate, Expectant Junior Secretary of Board of Rites. Age 34.

Hsiang Lien. Member of the Bordered White Banner Corps. a provincial graduate and assistant secretary of Board of Punishments. Age 39.

Hsiung Pao Kai. native of Kwangtung. Student of the Imperial Academy, Expectant Second class Secretary of Board of Rites. Age 29.

Hsiang Shih Ying. native of Kiangsi. a licentiate, apprentice Second class assistant Secretary of Board of Works. Age 28.

Sun Ching Chi. native of Chekiang. Student
of the Imperial Academy,
Expectant second class assistant
secretary of the Board of Works Age 44.

Ch'ên Ho Hsiün. native of Kweichow. Student
of the Imperial Academy
Expectant second class assistant
secretary of the Board of Punishments
Age 38.

Kung Shih Hsien. native of Kweichow. a licentiate,
Expectant second class assistant
secretary of the Board of War. Age 53.

Ho Kung Chao. native of Kweichow. a licentiate.
Expectant second class assistant
secretary of Board of Punishments
Age 46.

Shih Shan. Member of the Blue Banner Corps,
Pupil of the Banner Schools, Expectant
second class assistant secretary
of Board of Punishments. Age 24.

Wang Chun Pei. native of Chun Tien (Peking)
a licentiate, expectant
second class assistant
secretary of Board of
Punishments. Age 40.

Hsi Wen. member of the Bordered Yellow
Banner Corps, a Provincial
graduate and apprentice official
writer of the Board of Rites.
Age 30.

Jao King, belonging to the Chinese Yellow
~~Banner Corps~~. Student
of the Imperial Academy.
Expectant second class assistant
secretary of the Board of Rites.
Age 42

Chang Piao Lien. native of Kwangtung.
student of the Imperial
Academy. Expectant second
class assistant secretary
of Board of Rites. Age 32.

No 409. One enclosure.

DEPARTMENT OF STATE
SEP 3 1887
RECEIVED.

Legation of the United States
Peking, July 16th, 1887.

Mr. Charles Denby.
to the
Secretary of State

Subject
Transmitting telegrams
between February and
April 1887.

No 409. One enclosure.

Legation of the United States.
Peking, July 16th, 1887.

Honorable Thomas F Bayard.
Secretary of State
Washington.

Sir:—

I have the honor to hand
1/409 you enclosed my account for
official telegrams for February
and April 1887, against which
I have drawn my draft on you
in the usual manner.

I have the honor to be,
Sir,
Your obedient servant
Charles Denby

Enclosure 1.
Statement as above.

T. M.

Peking, February 28th, 1887

Kennedy

Shanghai.

Minister regrets refusal request
of Chamber

Denby.

Mail

American Admiral
Yokohama

Will be in Shanghai April 23d
Thanks.

Derby

Peking April 2d, 1887.

Draft. with Cor. pro. letter of Sept 9. 87 Enclos

No 410.

W. Williams



Legation of the United States.
Peking, July 18th, 1887.

Hon. Charles Denby.
to the
Secretary of State
Washington.
Legation Repairs Account.
Requisition
Advises having drawn for
amount due for first
and second Quarters
1887.

No 410.

Legation of the United States.
Peking, July 18th 1887.

Honorable Thomas. F. Bayard.
Secretary of State
Washington.

Sir:—

I have the honor to inform you that I have this day drawn on you for $237. Mexfold, equivalent of $300. mexicans, being the amount reserved for repair in the lease (old one) under which the legation premises are held.

This amount covers the period from January 1st 1887, to June 30th 1887, the date the old lease expires. It has been customary under the old lease to retain the whole amount $600. out of the rent due for the last quarter of the calendar year. But the new lease provides that the sum of $150. shall be deducted from each quarters payment of rent money. I cannot therefore draw

for

for repair money except as provided in the last. If I do not now draw for the repair money for the first six months of this year there will be no money to pay the sums already due for repairs.
For these reasons I have drawn the draft mentioned, which I hope will be honored.
The Expenditure of this money will be duly accounted for as heretofore by my annual report.

I have the honor to be
Sir,
Your Obedient Servant
Charles Denby

Rec'd by Moffett



Mr. Williams

No. 411.

Legation of the United States.

Peking, July 19th 1887.

Mr. Denby to the

Secretary of State.

Subject

Military Encampment at

Chicago.

No. 411.

Legation of the United States.

Peking July 19th 1887.

To the Honorable

Thomas F. Bayard

Secretary of State

Washington, D. C.

Sir:

I have the honor to acknowledge the receipt of your circular of date May 23rd 1887, enclosing a circular from the President of the International Military Encampment to be held at Chicago during the coming October.

On the part of

the

the Association of Citizens of Chicago I have extended to the Imperial Government a cordial invitation to send a representative military organization to Chicago on this interesting occasion.

I have the honor to be,

Sir,

Your obedient servant,

Charles Denby

DEPARTMENT OF STATE
SEP 3 1887
RECEIVED

Mr Williams
&

No. 412 One Inclosure Mr. Ford

Legation of the United States.

Peking July 22nd 1887.

Mr. Denby to the

Secretary of State.

I. Wharton Barker.
Sept. 30 87
Con'l Gen.

Copy of treaty to Mr. ✓
Barker. Oct. 12.
Con'l Gen.

Subject.

Encloses text of new French-Chinese Convention.

Copied September 1889.

Two enclosures.

No. 412.

Legation of the United States.

Peking July 22nd 1887.

To the Honorable

Thomas F. Bayard

Secretary of State

Washington, D.C.

Sir:

I have the honor to enclose herewith a copy in French and English of the recent Convention of the French Republic with China.

The following is a syllabus of these articles:

Art I. Keeps in force the Tientsin Treaty.

Art II. Two new ports in China are

are open to commerce.

Art III Foreign merchandize imported into China pays 3/10 less duty than general tariff. Chinese merchandize imported to Tongking pays 4/10 less.

Art IV Regulates duties on products of Chinese origin going through Tongking.

Art. V Native opium exported to Tongking pays Taels 20 per picul.

Regulates lekin.

Art VI Regulates tonnage dues.

Art VII Favored nation clause.

Art VIII, IX, X. Fomal

Annex, relates to appointment of Consuls.

I have the honor to be,

Sir,

Your obedient servant,

Charles Denby

N. 412. Inclosure 1.

Convention additionnelle

—

Le Président de la République française et Sa Majesté l'Empereur de Chine, désirant de favoriser le développement des relations commerciales entre les deux pays et d'assurer la bonne exécution du Traité de Commerce signé à Tien-tsin le 25 Avril 1886, ont décidé de conclure une Convention additionnelle modifiant quelques-unes des dispositions contenues dans ledit acte.

A cet effet, les deux Hautes Parties Contractantes ont nommé pour leurs Plénipotentiaires respectifs, savoir:

Le Président de la République française, M. Ernest Constans, Député, Ancien Ministre de l'Intérieur et des Cultes, Envoyé Extraordinaire de la République française en Chine, Commissaire du Gouvernement,

Et

Contractantes que la ville de Lang-tchéan au Kouang-si et celle de Mang-tsen au Yunnan sont ouvertes au commerce franco-annamite. Il est entendu en outre que Man hao, qui se trouve sur la route fluviale de Lao-kaï à Mang-tsen, est ouvert au commerce comme Lang-tchéan et Mang-tsen et que le gouvernement français aura le droit d'y entretenir un agent relevant du Consul de cette dernière ville.

Article III.

En vue de développer le plus rapidement possible le commerce entre la Chine et le Tonkin, les droits d'importation et d'exportation stipulés dans les Articles 6 et 7 du Traité du 25 Avril 1886 sont provisoirement modifiés ainsi qu'il suit :

Les marchandises étrangères importées en Chine par les villes ouvertes auront à acquitter le droit

du

du tarif général de la douane maritime diminué des trois dixièmes.

Les marchandises chinoises exportées au Tonkin paieront le droit d'exportation dudit tarif général diminué des quatre dixièmes.

Article IV.

Les produits d'origine chinoise qui auront acquitté les droits d'importation conformément au paragraphe I de l'Article II du Traité du 25 Avril 1886 et seront transportés à travers le Tonkin vers un port annamite, seront soumis, à la sortie de ce port, s'ils sont à destination d'un autre pays que la Chine, au droit d'exportation fixé par le tarif des douanes franco-annamites.

Article V.

Le Gouvernement Chinois autorise l'exportation de l'opium indigène au Tonkin par la frontière de terre, moyennant un droit d'exportation de vingt taëls par picul ou cent

cent livres chinoises. Les Français et protégés français ne pourront acheter l'opium qu'à Dang-tchéan, Mang-tsen et Man-hao. Les droits de likin et de barrière que les commerçans indigènes auront à payer sur ce produit ne dépasseront pas vingt taëls par picul.

Les commerçans chinois qui auront apporté l'opium de l'intérieur remettront à l'acheteur, en même temps que la marchandise, les reçus constatant que le likin a été intégralement acquitté, et l'acheteur présentera ces reçus à la Douane, qui les annulera au moment où il effectuera le paiement du droit d'exportation.

Il est entendu que cet opium, dans le cas où il rentrerait en Chine, soit par la frontière de terre soit par un des ports ouverts, ne pourra être assimilé aux produits d'origine chinoise réimportés.

Article VI.

Les

Les bateaux français et annamites, à l'exception des bâtiments de guerre et des navires employés au transport de troupes, d'armes ou de munitions de guerre, pourront circuler de Lang-son à Cao-bang et réciproquement, en passant par les rivières (Sang-ki-kang et rivière de Cao-bang) qui relient Lang-son à Lang-tchéou et Lang-tchéou à Cao-bang.

Il sera prélevé sur ces bateaux, pour chaque parcours, un droit de tonnage de 5/100 de tael par tonneau, mais les marchandises composant le chargement n'auront à acquitter aucun droit.

Les marchandises à destination de Chine pourront être transportées par les rivières dont il est question dans le paragraphe 1 du présent article aussi bien que par les routes de terre et notamment par la route mandarinale qui conduit de Lang-son à Lang-tchéou;

mais,

mais, jusqu'au jour où le Gouvernement chinois aura établi un poste de douane à la frontière, les marchandises qui passeront par ces routes de terre ne pourront être vendues qu'après avoir acquitté les droits à Lang-tcheou.

Article VII.

Il est entendu que la France jouira de plein droit, et sans qu'il soit besoin de négociations préalables, de tous les privilèges et immunités, de quelque nature qu'ils soient, et de tous les avantages commerciaux qui pourraient être accordés dans la suite à la nation la plus favorisée par des traités et conventions ayant pour objet le règlement des rapports politiques ou commerciaux entre la Chine et les pays situés au Sud et au Sud-ouest de l'Empire Chinois.

Article VIII.

Ayant arrêté d'un commun accord les dispositions ci-dessus, les Plénipotentiaires ont apposé leur signature.

signatures et leurs sceaux sur deux exemplaires du texte français de la présente Convention ainsi que sur la traduction chinoise qui accompagne chacun de ces exemplaires.

Article IX.

Les stipulations de la présente Convention additionnelle seront mises en vigueur, comme si elles étaient insérées dans le texte même du traité du 25 Avril 1886, à partir du jour de l'échange des ratifications desdits Traité et Convention.

Article X.

La présente Convention sera ratifiée dès à présent par Sa Majesté l'Empereur de Chine et, dès qu'elle aura été ratifiée par le Président de la République, l'échange des ratifications aura lieu à Péking.

Fait à Péking, le 26 Juin 1887.

(Signé) (L.S.) Constans

Pu K'ing

Soun.

Annexe.

Dans une lettre officielle en date du 23 Juin 1887, le Gouvernement Chinois s'engage à ajourner la nomination de consuls dans les principales villes du Tonkin jusqu'au jour où la France et la Chine estimeront que les circonstances permettent de les établir.

Il est entendu en outre que, lorsque le Gouvernement Chinois établira des consuls à Hanoï et à Haiphong, le gouvernement français pourra en nommer dans les capitales des provinces du Yun-nan et du Kouang-si.

Additional Convention.

The President of the French Republic and His Majesty the Emperor of China, being desirous of favoring the development of commercial relations between the two countries and of insuring the good execution of the Treaty of Commerce signed at Tien-tsin on the 25th April 1886, have decided to conclude an additional Convention modifying some of the dispositions contained in the said act.

To this end, the two High Contracting Parties have named as their respective plenipotentiaries, to wit:

The

The President of the French Republic Mr. Ernest Constans, Deputy, Formerly Minister of the Interior and of Worship, Envoy Extraordinary of the French Republic in China, Commissary of the Government,

and His Majesty the Emperor of China, His Highness Prince K'ing, Prince of the second rank, President of the Tsung-li Yamen,

Assisted by His Excellency Sun Yü-wen, Member of the Tsung-li Yamen, 1st Vice-President of the Board of Works,

Who, having communicated to each other their full powers which they have recognized to be in good and due forme,

have

have agreed on the following articles.

Article I

The treaty signed at Tien-tsin the 25 April 1886, will be, immediately after the exchange of ratifications, faithfully put in execution in all its clauses, except of course, in those which the present convention has for object to modify.

Article II

In execution of Article I of the Treaty of the 25 April 1886, it is agreed between the high contracting parties that the town of Lang chan in Kiangsi and that of Mang tze in Yunnan will be opened to franco-annamese commerce

commerce. It is understood furthermore that Man hao, which is on the waterway from Lao-kai to Mang-tze, is opened to commerce like Lang-chow and Mang-tze and that the french government will have the right to keep there an agent subordinate to the Consul at the last mentioned place.

Article III.

In view of developing the most rapidly possible commerce between China and Tonking, the import and export duties stipulated in Articles 6 and 7 of the Treaty of the 25 April 1886 are provisionally modified as follows.

Foreign merchandise imported into

into China by the open ports will have to pay the duties of the general tariff of the maritime customs diminished three tenths.

Chinese merchandise exported to Tang King will pay the duties of the said general tariff diminished four tenths.

Article IV.

Products of Chinese origin which have paid the import duties in conformity with paragraph I of Article 11 of the Treaty of the 25 April 1886 and which are transported through Tang-King to an annamite port, will have to pay, on leaving that port, if they are destined to another country than China, an export duty fixed by

by the franco-annamite Customs Tariff.

Article V.

The Chinese Government authorises the exportation of native opium to Tong-King by the land frontier, in consideration of an export duty of twenty taels per picul or hundred chinese pounds. Frenchmen or french protégés will not be able to buy opium except at Lang-chan, Mang-tze and Man-hao. Likin and barrier duties which native merchants will have to pay on this produce will not exceed twenty taels per picul.

Chinese merchants who will have brought opium from the

the interior will hand over to the buyer at the same time as the merchandise, the receipts establishing that likin has been paid in full, and the buyer will present these receipts to the Customs which will cancel them when he ~~will~~ shall have paid the export duty.

It is understood that this opium, in case it should re-enter China either by the land frontier or by one of the open ports, cannot be assimilated to produce of Chinese origin re-imported.

Article VI.

French and Annamite ships, with the exception of vessels

7

of war and of ships employed transporting troops, arms or munitions of war, can go from Lang-son to Cao-bang and vice-versâ, passing by the river (Sang-ki Kang and river of Cao-bang) which unite Lang-son with Lang-chan and Lang-chan with Cao-bang.

These boats will have to pay for each trip, a tonnage duty of $\frac{5}{100}$ tael per ton, but the merchandise composing their cargoes will not have to pay any duty.

Merchandise destined to China may be transported by the rivers mentioned in paragraph 1. of the present article as well as by land routes and especially the

government

government road (route mandarinale) which goes from Lang-son to Lang-chan; but, until the Chinese government has established a customs station on the frontier, merchandise passing over these land routes may not be sold until they have paid duty at Lang-chan.

Article VII.

It is understood that France will enjoy have the full right to enjoy, and that without the necessity of previous negotiations, all the privileges and immunities of whatever nature they may be, and all commercial advantages which may be given hereafter to the most favoured nation

by

by treaties and conventions having for object to regulate political or commercial relations between China and the countries situated to the South and South-West of the Chinese Empire

Article VIII

Having mutually settled the above dispositions, the Plenipotentiaries have affixed their signatures and their seal on two copies of the french text of the present Convention and also on the chinese translation which accompanies each of these copies.

Article IX

The stipulations of the present additional Convention will be put in force as if they had

had been inserted in the text of the treaty of the 25th April 1886, from the day of the exchange of the ratifications of the said treaty and convention.

Article X.

The present Convention will be ratified at once by His Majesty the Emperor of China, and, as soon as it shall have been ratified by the President of the French Republic, the exchange of ratifications will take place at Peking.

Done at Peking, the 26 June 1887.

(Signed) (L.S) Constans

" P. K'ing

" Sun.

Annexe. (Protocol).

In an official letter under date the 23rd June 1887, the Chinese Government takes the engagement to ajourn the nomination of consuls in the principal cities of Tang-King until such date as France and China may consider that circumstances permit their establishment.

It is understood moreover, that when the Chinese Government will establish consuls at Hanoï and Haiphong, the French Government may appoint (like officers) in the capitals of the provinces of Yunnan and Kuang-si.

(True translation from French text)
W.W. Rockhill

W.W. Rockhill

DEPARTMENT OF STATE
SEP 3 1887
RECEIVED.

No. 413. W. Williams

Legation of the United States.

Peking July 22nd 1887.

2D ASSISTANT SECRETARY.
Ack by No. & file.
SEP 5 1887

Mr. Denby to the
Secretary of State.

Subject

Telephone concession granted by Li Hung Chang to an American-Chinese Company.

No.

Legation of the United States.

Peking July 22nd 1887.

To the Honorable

Thomas F. Bayard

Secretary of State,

Washington, D.C.

Sir:

I have the honor to report that Mr. Smithers informs me that the Viceroy of this Province has signed a decree giving to Wharton Barker of Philadelphia and Eugene de Mikiewicz of New York sole and exclusive authority to organize a company to be composed of Americans and Chinese

Chinese, for the purpose of constructing telephone lines at the Treaty Ports of China.

This concession will be very valuable should an amalgamation be effected with the Telegraph Company which for the present has been denied.

It is noticeable as being the first acknowledgement and grant of the principle that Chinese may unite with foreigners in organizing joint stock companies.

I have the honor to be,

Sir,

Your obedient servant,

Charles Denby

No 414. One Enclosure.

DEPARTMENT OF STATE
SEP 3 1887
RECEIVED.

Legation of the United States.

Peking, July 22 d. 1887.

Wm. Charles Dudley.

to the

Secretary of State

subject

Enclosing return of passports issued during half year ending June 30 th, 1887.

H.P.R

No 414 one enclosure.

Legation of the United States.
Peking, July 22d, 1887.

Honorable Thomas F. Bayard.
Secretary of State
Washington.

Sir:—

I have the honor to hand
1414. you enclosed a return of passports
issued by this Legation during
the half year ending June
30th, 1887.

I have the honor to be,
Sir,
Your obedient servant.
Charles Denby

Enclosure 1.
Return as above.

NATIVE.

No. _____ ISSUED, _____ 18____

APPLICANT: Stephen A. D. Hunter,

I hereby apply to the Legation of the United States at Peking for a passport for myself, my wife and minor children, as follows: Paul Stewart Hunter born at Morgantown, Va. on the 29 day of March 1877 and Harry Leahman Hunter, born at Washington, Pa. on the 30th day of Nov. 1878 and Annie Rogers Hunter born at Chinanfoo, China on the 18th day of Apl. 1881 and Bessie Moreland Hunter born at Wei hsien China, on the 8th day of Aug 1884

In support of the above application I do solemnly swear that I was born at or near Christiana, Pa. on or about the 28th day of March 1851 that my father ~~is~~ was a naturalized citizen of the United States; that I am a native and loyal citizen of the United States, temporarily residing at Wei hsien; that I left the United States on the 4th day of Oct. 1879; that I am the bearer of Passport No. 426 issued by J. Russell Young on the 8th day of Oct. 1884; and that I desire the passport for the purpose of travel and residence

OATH OF ALLEGIANCE.

Further, I do solemnly swear that I will support, protect and defend the Constitution and Government of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without mental reservation or purpose or evasion: So help me God.

Stephen A. D. Hunter

Consulate
~~LEGATION~~ OF THE UNITED STATES AT Chefoo

Sworn to before me, this 27th day of May 1887

N. W. Halcomb,
Acting U.S. Vice Consul.

DESCRIPTION OF APPLICANT.

AGE: 36 years.
STATURE: 5 feet 9 inches.
FOREHEAD: High
EYES: Hazel
NOSE: Prominent
MOUTH: Medium
CHIN: Projecting
HAIR: Light
COMPLEXION: Fair
FACE: Long

IDENTIFICATION.

Chefoo May 30th 1887

I hereby certify that I know the above named Stephen A. D. Hunter personally, and know him to be a native born citizen of the United States, and that the facts stated in his affidavit are true to the best of my knowledge and belief.

Hunter Corbett

Travel Certificate No 1

NATIVE.

No. 1 Travel Certificate Issued, June 22 1887

Applicant: David N. Lyon

I hereby apply to the ~~Legation~~ ~~U.S. Consulate~~ of the United States at Shanghai for a passport for myself, my wife and minor children, as follows: ~~~~ born at ~~~~ on the day of 18 and

In support of the above application I do solemnly swear that I was born at Newyork on or about the 9 day of July 18 42 that my father is a Native citizen of the United States; that I am a native and loyal citizen of the United States, temporarily residing at Soochow; that I left the United States on the ~ day of September 18 86; that I am the bearer of Passport No. ~ issued by ~~~~ on the day of ~~~~ 18 ; and that I desire the passport for the purpose of ~~~~.

OATH OF ALLEGIANCE.

Further, I do solemnly swear that I will support, protect and defend the Constitution and Government of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without mental reservation or purpose or evasion: So help me God.

D. N. Lyon

Consulate General
Legation of the United States at Shanghai

Sworn to before me, this 22 day of June 18 87

J. D. Kennedy

DESCRIPTION OF APPLICANT.

Age: 45 years.
Stature: 6 feet 1 inches.
Forehead: Square
Eyes: Brown
Nose: Straight
Mouth: Covered by beard
Chin: do
Hair: Turning grey
Complexion: Light
Face: Long

Chinese Name 宋恩施

IDENTIFICATION.

For Shanghai Citizens

June 22 1887

I hereby certify that I know the above named D. N. Lyon personally, and know him to be a native born citizen of the United States, and that the facts stated in his affidavit are true to the best of my knowledge and belief.

W. J. Means

DEPARTMENT OF STATE
SEP 3 1887
RECEIVED.

Copy to Leg. Pd. for Comm. Pensions Sept. 7, 1887
Acted. Sept. 7 1887
Asst. Sec.

No. 415.

Legation of the United States.

Peking, July 23d. 1887.

Mr. Denby to the

Secretary of State.

Subject.

Encloses memorandum on Pension system of China.

One enclosure.

No. 415

Legation of the United States.
Peking July 23rd. 1887.

To the Honorable
Thomas F. Bayard
Secretary of State
Washington, D.C.

Sir:

I have the honor to enclose herewith a Memorandum on the Pension System of China which has been prepared with great labor and ability by the Secretary of this Legation in response to a request from the Honorable Commissioner of Pensions.

I

I respectfully request that it be transmitted to the Honorable Commissioner of Pensions.

I have the honor to be,
Sir,
Your obedient servant,
Charles Denby

Enclosure
1. Memorandum as above.

Memorandum.

In the accompanying translations from the "Institutes of the Ta Ching Dynasty" will be found the chief ordinances which have at different times during the succeeding reigns of this dynasty been rendered concerning gratuities and pensions to soldiers and sailors.

The sources from which we might derive information on the subjects propounded in the letter of the Commissioner of Pensions are but imperfectly known and

and many are inaccessible;
the "Institutes", moreover,
have only been published
down to 1818. The inevitable
result is that the notes
which are herewith
submitted are in many
respects more interesting
from an historical point of
view than from any present
importance they may have.
Bearing in mind, however,
the conservativeness always
shown by the Chinese
Government, and the value
it attaches to precedents,
it may be inferred with
much plausibility that
many of the rulings of the
Board

Board of War given herein are still acted upon at the present day. As a matter of fact we learn from the "Peking Gazette", the only official source from which we may derive information about the acts of the Government, that retirement of officers on full pay (Pek. Gaz. Mar. 1st 1878, July 6th 1887), pensions to the children of officers killed in battle (op. cit. Nov. 26th 1878), etc., are now and then conferred by Imperial decree, but, as far as I can learn, such cases are by no means common. This results, however,

from

from the regulations covering such cases not being applicable to all branches of the Chinese Army but only to the "Regulars" or Manchu and Green Banner forces.

It may be useful to state here that the military forces of the Empire are composed of:

1°: The eight Manchu Banner Corps.

2°: The Army of the Green Standard or Chinese Provincial forces

3°: The Irregulars or "Braves".

In the eight banners all Manchus and all descendants

descendants of the Mongolian and Chinese soldiery of the conquest are enrolled.

The Army of the Green Standard is employed to garrison important strategical points throughout the provinces, to act as custodians of the treasuries, granaries and gaols, to escort prisoners and convey treasure and to perform various other miscellaneous duties." It has long been in an effete condition while the pay and the allowances which each soldier of this army ought by rights to draw

draw is in itself too little to support himself and his family (Pek. Gaz. July 22nd 1885).*

Of late years the tendency has been to reduce the effective of the Green Banner forces (the Manchu banners cannot, of course, be touched forming, as they do, an organic part of the dynasty) and to increase the number of irregulars or "braves" (Yung) who are enlisted and discharged by the high provincial authorities according to circumstances. It is this force which does all the active service throughout the

* The pay is for cavalry soldiers Tls. 1.9 per mensem, for "fighting" soldiers Tls. 1.4 and for those who only do garrison duty Tls. 0.9. odd. See Pek. Gaz. Oct 2nd 188

the Empire. The pay of these troops is considerably higher than that of the Regulars, but they are not entitled to any of the allowances made the latter in old age or when disabled. The Imperial favor is sometimes shown them in the form of donations after successful battles (See Pek. Gaz. July 11th & 7th 1885) or by special marks of "compassionate distinction" to those who have died of disease or fallen in battle (Pek. Gaz. Dec. 19th 1885).* The officers of these troops being usually invested with rank as "expectant" of

* See however the exceptions mentioned in Reg. of 1734 (p. 24) for helmsmen and Reg. of 1827 (p. 32) for specific soldiers enlisted for pay. These two classes were however probably enlisted into the Regulars.

of appointments to posts in the Regular forces would come under that head for gratuities and pensions.

It must be borne in mind that the "Regulations" (li) given in the following pages were not made to constitute a permanent and abiding rule, but were all rendered by the Board of War with the sanction of the Throne to cover specific cases. Later on these rules or decisions constituted precedents, which, as has been remarked, carry great weight with them.

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A few words are here necessary to explain the exact value of the words which have been rendered, for the sake of conciseness, "gratuity" (hsiieh shang). This expression means literally a "mark of compassionate distinction" conferred by the Emperor and by him alone, on deserving servants as a special act of grace, and must in no case be considered as acquired under certain specified conditions of age and service alone, for neither officers nor soldiers can ever claim as a right

and

and the granting of it is entirely optional with the sovereign.

The question of tending the sick and wounded soldiery in the field does not appear to have attracted the attention of Government, and from the observations of some Europeans who visited the Chinese camps on the Tongking frontier two years ago we learn that, although there were here and there a doctor attached to a camp, no adequate care of any kind was given patients.

The only case which I can

can remember of the Imperial bounty being shown to soldiers suffering from disease is that recorded in a recent Decree of the Empress Dowager by which she orders three boxes of pills (!) to be distributed among the men stricken down with fever belonging to the expeditionary corps operating in the interior of Kainan.

(signed) W. W. Rockhill
Secretary of Legation,

Peking, July 12th 1887.

Regulations of the Board of War (Ch. 517).

Gratuities granted (to the families of) officers killed in action.

Manchu banner officers

(1) An order was issued by the Board of war during the Shun Chih reign (1644-1662) fixing as follows the gratuities to be paid (the families of) officers belonging to the eight Manchu banner corps killed in action.

Lieut. Genl (Du-tung) with title of Tzu (Viscount) of the 1st rank Rs 1,200

Lieut. Genl with title of Tzu of 2nd rank Rs 1,050

Lieut. Genl with title of Tzu of 3rd rank Rs 1,000

Lieut

Lieut. Gens with title of Han (Baron) of the first rank with the title of Yüin-chi-yii* annexed, Hls 950.

Capt. Gens of the Vanguard division of the Imperial Guards, Deputy Lieut. Gens with title of Han of 1st rank Hls 900.

Do Do with title of Han of 2nd rank " 850

Do Do " " " 3rd " " 800

Officials of 1st rank not in active military service Hls 800

Lieut Colonel with title of 1st rank of Ching ché tu-yii* and that of Yüin chi yii annexed 750

Lieut Colonel with the title of 2nd rank of Ching ché tu yii 650,

Lieut Colonel with the title of 3rd rank of Ching ché tu yii 600,

Recorder (chang chih) of a Prince's

* This title is untranslatable; it is the 8th rank of hereditary nobility and is hereditary during one generation only.

* This is the 8th rank of hereditary nobility and like Yüin chi is untranslatable.

Prince's palace and officers of 2nd rank not on active military service the same as 3rd class

Ching ché tu yii 2½ 600;

Chi tu yii with the title of Yiin chi yii annexed 550;

Chi tu yii 500;

Ching ché tu yii not in active service 500;

Captain (Tso ling) 450;

Yiin chi yii 400;

Major-domo (Szu i chang) of a Beileh (Prince of 3rd order) not on active military service are assimilated to Chi tu yii (i.e., 500).

Officers of the Chamber (San chih kuan) 350;

Yiin chi yii of similar rank also 350;

1st Lieutenant (Ku chün chiao) and 2nd Lieutenant (Hsiao chi hsiao) (in the

the Guards division) 6th class
officials 250;
7th and 8th class officials 220;
Adjt 1st Lieut of Guards division,
Actg Deputy Lieut Gens, Colonel
(Hán-ling) or officers of the
Chamber (ean chih kuan) with
low hereditary rank or none at
all, besides the regular gratuity
due in their cases will receive
as bounty 50 taels extra.

Chinese provincial forces (Green banner corps - Lü-ying)

2° Regulation of the Board of War of the 13th year of Kanghsi (1674).

In the case of officers belonging to the Chinese provincial forces (Lü ying) killed in action the following gratuities will be awarded.

Provincial Commander in Chief (Ti tu) Hs 800

Brigade

Here sums are reduced by Regulation

Brigade General (Tsung-ping) Hs 700,

Colonel (Tu chiang) 600,

Lieut Colonel (Tsan chiang) 500,

Major (Yu chi) 400,

1st class Captain (Tsi-tsu) 350,

2nd " " (Shou pei) 300,

Lieutenant on service for garrison duty (Shou yü so chien Tsung)* 250,

Lieutenant in command of a station (Tsei chien Tsung)* 200,

Lieutenant in charge of a cantonment (Ying) 150,

Sergeant (Pa tsung) 100,

(By a regulation of 1741 Corporals killed in action were awarded the same gratuity as that given by the Regulation of 1674 to Sergeants)

Here sums are reduced by Regulation of 1801 See No 11.

3°. By a regulation of the Board in the 22nd year of Kang hsi (1683) officers both civil and military dying

* These officers are under the orders of the Director of the transportation of tribute rice and command stations along the line of transportation. See Mayers Manual p. 60.

dying from disease during a campaign were to be given the following gratuity —

3rd & 4th class officials Hs 50,

5th and 6th " " 40,

7th and below 30,

Their bodies might be brought to the Capital.

Acting Colonel dying of disease in the field Conf. Rule of 1683

(4°) In the 7th year of Yung cheng (1729) it was ruled that an Acting Colonel dying in the field of disease should have bestowed on him the gratuity given 3rd and 4th class officials by the Regulations of 1683.

Nobles, house hold troops and officials killed in action

(5°) Regulation of the 39th year of Yung cheng (1761).

Dukes (Kung) of the 2nd and 3rd rank, Marquises (Hou), Earls (Po)

Chamberlains

Chamberlains of the Guards (Ling shih wei, Ta chén) Tartar Generals (Chiang chün) and Senior Acting Tartar Generals (Tso fu chiang chün) killed in action were awarded as a gratuity Tls 1,100;

General Commandant of the Gendarmerie (Pu chün Tung ling) Tls 900;

Assistant Chamberlains (San chih ta chén) Tls 800

Commanders of the artillery and musketry division (Huo chi ying tung kuan),

Commandants the post at (the palace of) Yüan Ming Yüan (Summer Palace) (Yüan Ming Yüan ying tung), Brigadier in command of the light division (chien fei ying yi chang), Comptroller General (Tsung kuan), Assistant Comptrollers General (Fu Tsung kuan) Military commandants (in the provinces) (Ch'eng

Cheng shou yii), Colonels (Keieh ling)*, and officers of the guard of the first rank, Hs 750,

Officers of the body guard (Kuwei) of the 1st rank Hs 600,

Imperial Guardsmen of the Vanguard decision (Chien feng shih wei) Lieutenant Colonels of battalions (Ko ying fu tsan ling), Officers of the guards of the 2nd rank, Colonels of the 4th class belonging to Manchu provincial garrisons, Comptrollers (Tsung kuan), Military Commandants of the 2nd class (Tsang shou yii) Naval officers of the 4th class Hs 450.

Officers of the Body Guard of the 2nd rank, Assistant Major-domo of the 4th class (Tien i) Hs 400.

* There is one to each provincial banner. Officers

Officers of the guards of the 3d rank, Deputy Colonels (wei shu tsan ling) of the Yüan ming Yüan (i.e. Summer Palace) light division, Captains in provincial Manchu garrisons (Fang yü kuan), Naval officers of the 5th class, Colonels and Lieutenant-Colonels (of the corps) of unattached Chang ching Pao-i* Rs 350.

Officers of the guards of the 4th rank, officers of the Body Guard of the 3d rank, Assistant Major-doms of the 5th class and also army officers of the 5th class not exercising commands Rs 300.

Sergeants of the vanguard of the Palace guard (Chien feng chün chün chiao), Officers of the

*The Pao-i (Manchu Bo-i) compose the inner divisions of the Manchu banners. They are especially bound to render suit and service (word bo-i means "serf, bond-servant). The Pao-i of the 3 superior banners appertain to the Imperial household. Some are attached to the different princely households. See Mayers p 51.

the guards wearing the blue plume*, naval officers of the 6th class, as also Assistant Major-domos of the 6th class and officers of the 6th class brevet rank Rs 250.

(Officers with the title of) Exchii yii⊗, Assistant Major-domos of the 7th and 8th class and also officials of the 7th and 8th class brevet rank Rs 220.

Army officers of the 6th class not exercising commands to receive the same gratuity as that allowed officers mentioned in preceding paragraph.

Military Governors and assistant Governors killed in action.

(6°) The same year (1761) the Board made a rule to the effect that Assistant Military Governors

Officers of 1st & 2nd ... dying of ... in the fiel... See Reg 18...

* There are ninety subaltems in the guards wearing the distinction. It is attributed to them by regulations. It is also conferred as a reward for services on officials below the 6th degree of rank.

⊗ This title is untranslatable. It is the 9th and lowest of the titles of hereditary nobility

Governors (killed in action) if having high hereditary rank should have a gratuity granted (to their families) according to that rank. If their hereditary rank is low or if they have none at all the gratuity will be given according to their official rank. In the case of officers acting as Deputy Military Governors the gratuity will be according to the rank of the position they were filling as deputy (at the time of their death).

(7°) The same year a regulation was made to the effect that high officers (Ta Chên) of the 1st and 2nd class dying of disease while on a campaign were

to

to have a gratuity (granted their families) of Rs 200.

Deputy officers treated as full ranked

(8°) Regulations of the same year.

In the case of deputy officers killed during a campaign the gratuity awarded will be according to the rank of the position he was filling.

If officers with brevet rank and wearing the peacock feather or the blue plume, or soldiers wearing the blue plume as a reward, are killed in action, the gratuity awarded will be th same as that given in the ca of a guardsman wearing the peacock feather or the blue plume and of the same rank.

Officers of 1st + 2nd ran aying int field, Reg 1761 Par. 7 abrogated

Officers leaving destitute families

(9°) Regulation of the Board of War in the 42nd year of Kang Hsi (1703).

In

In the case of officers dying in camp of disease while on a campaign and whose families are left with no means of support, the latter will be treated like the families of soldiers who have died of disease while on a campaign and whose families have no means of support, receiving half pay until the (eldest) son has become of age (i.e. 16 years) at which time the pension will be stopped.

(10°) Regulations of the 6th year of Chia ch'ing (1801).

In the case of high officers (ta ch'en) of the 1st and 2nd class and Provincial Commanders in Chief of the Chinese provincial forces (Lü ying) dying in camp of disease contracted

in

in the service of the state, a gratuity may be awarded of Rs 200. A 6th class button will be conferred on his eldest son who will be received in audience and the Emperor will assign him duty.

If (deceased) was not suffering from disease contracted in the service of the state on arriving at the army but contracted disease later on and died, the gratuity awarded will be as prescribed in former regulations and no button will be given his son.

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Officers employed in the grain transportation service being killed on duty.

(11°) Regulations of same year (1801) – According to former regulations in the case of a Lieut on service for garrison duty (i.e

(i.e detached on the grain transportation service) the gratuity given was Hs 250, henceforth it will be Hs 200 and the gratuity in the case of a Lieutenant commanding a station (wei) along the line of grain transportation is reduced from Hs 200 to Hs 150. Soldiers (detached on service of grain transportation and killed in action?) Hs 25.

(12°) Regulation of 1801.

In the case of government troops employed in the coast guard service and who have lost their lives through the effects of winds and waves gratuities will be awarded as follows: to a Provincial Commander in Chief Hs 800,

to

to a Brigadier General Hs 700, Manch... banner... on coast... servic...
to a Colonel " 600
" " Lieut. " 500,
" " Major " 400,
" " 1st class Captain " 350,
" " 2nd " " " " 300,
" " Lieutenant on service for garrison duty Hs 200
to a Lieutenant commanding a camp (ying) or a station (wei) along the line of grain transportation Hs 150, Sergeant-majors and Sergeants Hs 100.

The eldest son of deceased to receive office according to position held by parent.

In the case of officers killed in capturing pirates the gratuities are to be the same.* Supernum... employe... coast-gu... service

* See ex gr. Pek. Gaz June 18th 1885 case of officer shot by smugglers

(12°) Regulation of same year (1801)

In the case of Manchu bannermen employed on a ship of war for coast guard purposes and who have lost their lives by wind and wave while on the ocean or the Yangtze river, the gratuities are the same as in the preceding paragraph.

If they have lost their lives in the above way but while in the inner sea, the interior waters, at anchorages, off islands along the coast, or such like places, the gratuities are fixed at one half of those mentioned in paragraph 13.

(13°) Regulation of 1807.

In the case of supernumerary

Corporals

Corporals employed in the coast-guard service killed by pirates or lost at sea the gratuity awarded is like that given cavalrymen killed in action viz, Rs 70.

Manchu banner

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Regulations of the Board of War

(Chap. 518)

Gratuities awarded (the families of soldiers) killed in action.

(1°) Regulation of the 1st year Shun chih (1644).

In the case of all Manchu bannermen killed in action a gratuity is to be awarded, for a Corporal of the Body Guard and standard bearers Rs 200. Cavalrymen Rs 150. Artillerymen Rs 130. Jung shih* of the different Manchu and Mongol tribes, Chinese employed in Manchu homes as mien chia ping (cotton cuirass soldiers) Rs 100. Chinese servants Rs 70.

(2°) Regulation of the 12th year

* This term is at present used to designate a linguist in the present case the tung shih is an officer acting as kind of general agent for the Manchus and Mongols when first they came to China.

of Shun chih (1655). Manchu banner men going on campaigns in remote parts, exclusive of those killed in action there are many who die from malaria; in these cases a gratuity of Rs 20 is to be awarded.

Chinese provincial forces

(3°) Regulation of the 13th year of Kanghsi (1674). In the case of soldiers belonging to the Green Banner Corps (Chinese provincial forces) and who have been killed in action gratuities are to be granted in all cases of Rs 70 for a cavalryman and Rs 50 for an infantryman.

Local militia men

(4°) Regulation of the 17th year of Kanghsi (1678)

In the case of local militia-

men °)

men killed in action a gratuity is to be awarded of one half of that given in the case of an infantry soldier (of the Green Banner Corps? i.e. Rs 25) and in the case of wounded ones one half the gratuity allowed regulars (of the Green Banner Corps?) of their grade.

(5°). Regulation of the 6th year of Chien lung (1741). In the case of privates killed in action or dying in camp of wounds received gratuities are to be granted. If they have no family or relation to receive the gratuity a sum of two taels will be given and the Governor-General,

Governor

* diers uring no nilies, ision for fias and ship at Tombs.

Governor (of deceased's province) or Brigade General will depute an employee to (use it to) make a sacrifice (at deceased's grave?).

Soldiers dying while in transit to rejoin their Corps.

(7°) Regulation of 33rd year of Chien Lung (1768). In the case of men belonging to the government troops going on active service and who die of malady on the way after having gone over 500 li, the regular gratuity (for death by disease in the field) will be awarded. In the case of those who have accomplished inside of 500 li half (the regular) gratuity will be awarded. In the case of those who die after having gone only one or two

stages

stages no gratuity will be granted.

Coast guard service, men employed in recruiting service etc.

(5°) Regulation of the 12th year of Yung cheng (1734. In the case of government troops belonging to the sea coast guard service, or persons attached thereto for special duty, if anyone be lost overboard in rough weather and be thrown on a desert coast and nevertheless finally escape alive, if he is an officer he will be promoted one rank as in the case of military merit (bravery in the field?); a non-commissioned officer will be promoted one rank when a vacancy occurs among the

the officers; a soldier (will be made) an extra-rationed fellowman (ming liang to-kung shui-shou). They will all receive the gratuity granted (officers and soldiers of their rank) who have received a very severe wound in action (lit. a 1st class wound).

In the case of those who lose their lives in a storm, if it be an officer posthumous rank will be conferred on him, according to his rank and office, as in the case of one killed in action and money will be given for sacrifices and funeral expenses. In the case of non-commissioned officers and soldiers who have

been

been in receipt of the extra rations of helmsmen, the gratuities money will be given for sacrifices and funeral on the same scale as for those killed in action.

In the case of subaltern officers and men employed in recruiting service, if they should lose their lives under the above mentioned circumstances, a gratuity will be given one degree less than if for military merit.

In the case of helmsmen losing their lives by drowning, if they are men enlisted for wages (i.e not regular), the gratuity awarded will be as that given

for

for military merit of the 2nd class.

In the case of persons exposed to great peril on the sea and who fortunately escape, if an officer he will receive two honorable mentions for military merit; if a non-commissioned officer he will receive an honorable mention on promotion to officers rank; if a private he will receive a half of the gratuity allowed for a second class-wound received in action.

In the case of those lost in a storm, if an officer a gratuity will be given (the family) one degree less than that given for death in action,

also

also posthumous rank according to deceased's position as well as one half the money for sacrifices and burial.

Non. commissioned officers and soldiers losing their lives as above to be treated as if killed in action and one half the money for sacrifices and funeral is awarded. In connection with this last mentioned item if deceased has left no wife, son nor near relative to receive it, the Governor General, Governor or Brigadier General (of deceased's province) will take the two taels given and depute an employee to use it in

in a sacrifice to the deceased.

As regards the Yellow River, the Yangtze, the Tung-ting and Tsungtzu lakes, these being specially dangerous waters, government troops on service on them as also officers in charge of the conduct of grain convoys and the soldiers employed for sweeping, if any of them incurs special hardships from wind or wave but escapes alive, or if he is drowned, the honorable mentions, posthumous rank and gratuities are on the same scale as for similar accidents having taken place on the ocean (see above)

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ter the ranks.

(8) Regulation of the 39th year of Chien lung (1774).

In the case of soldiers killed in action or who have died from wounds and who leave a son or younger brother of very tender years who is unable to perform his duties and draw his pay, one half the pay of deceased will be allowed him. If, when the son or brother reaches his majority (i.e 16 year) he is in such delicate health that he is incapacitated from discharging the duties (of deceased) and from drilling, the Governor-General or Governor will enquire into the case and will

will report to the Board of War, which may continue to him the half pay (of his father) as a means of subsistence.

If when the son or younger brother of deceased reaches his majority he is desirous of entering the ranks he will be given the (regular) allowance and the half pay (pension) will cease. Should he (on reaching his majority) be desirous of taking up some other profession and not enter the ranks, his half pay (pension) will cease from that date.

In the case of soldiers dying in the field and leaving a wife only (i.e. no children) the

she will receive one half deceased pay for life, but it will cease to be given her if she marries again.

nguard (9°) Regulation of the same
diers dying
he field year (1774).

In the case of soldiers belonging to the Vanguard dying in the field a gratuity will be awarded of Hs 200. Cavalry soldier Hs 150, Artillery-man without cuirass (?) Hs 130. Jung shih of the different tribes Hs 100.

tier guards (10°) Regulation of same year (1774).

In the case of frontier guards dying of disease half the gratuity given for soldiers dying of disease while in

a

a campaign will be given.

Local militia (11°) Decree of the 60th year of Chién lung (1795). Patriotic local militiamen fighting beside regulars are the same as government troops; henceforth in the case of any of them killed in destroying rebels the same gratuity given for soldiers killed (in this service) will be awarded.

New scale of gratuities. (12°) Regulation of the 6th year of Chia-ching (1801). The Board of war having memorialized the Throne in regard to gratuities to be granted soldiers killed in action, the Emperor ordered that all gratuities (in this special

special case) should be increased one degree, that in the case of a cavalry soldier it should be the same as that given for a corporal of the Vanquard division of the guards, Rs 200; if a corporal of the Vanguard division of the Guards it should be the same as in the case of a 7th class officer, viz; Rs 220. In the case of an infantry soldier the gratuity should be that of a cavalry soldier Rs 70; if a cavalry soldier that of a non-commissioned officer, Rs 100.

(137) Regulation of 1801. In the case of men belonging to the government troops on coast guard service who lose their lives by

wind

pt guard
y scale of
duities
. Reg. 1781

wind. and water a gratuity will be allowed of Rs 70 for a cavalry soldier, Rs 50 for an infantry soldier. Kelmenen in receipt of extra-rations also Rs 50, or if enlisted for wages (i.e not a regular) Rs 25, In the case of privates losing their lives as above and leaving no heirs, sacrifices will be made in the way above mentioned.

Supernumeraries in the Green Banner Corps & irregulars

(14°) Regulation of 1807.

In the case of supernumerary non-commissioned officers belonging to the Chinese Provincial forces (Green Banner) killed in action, a gratuity of Rs 70 will be awarded as in the case of a cavalryman. In the case of privates

belonging

belonging to this branch of the service Hs 25. In the case of soldiers newly enlisted on pay Hs 50.

l militiamen
ving no heirs
ision for
ffices and
ship at their
bs.

In the case of local militiamen who have destinguished themselves and who have later or died of disease (in the field), or who have been killed while on government service capturing rebels, this class heretofore only received one half the gratuity given regulars dying of disease or killed under similar circumstances the regulation granting two taels for sacrificial purposes to those dying without families (see above) is hereby extended to those of the militiamen who may have belonged

belonged to that class.

Attendants sons & younger brothers of officer gratuities if killed in action

(15°) Regulation of 1807. In the case of the attendants, sons younger brothers and bondsmen of officers (not belonging to the Manchu banner corps) who have been killed in action, no gratuity has been given as in the case of such people connected with the Banner forces. Henceforth all those belonging to these categories while in the field with government troops, if a son or a brother of an officer and if he is killed while fighting along with him, a gratuity will be given equal to one half that given a foot soldier killed in action (See Par. 12 Ns 25), if a

a bondservant one fourth the gratuity awarded a foot soldier (i.e. 2½ 17.5).

Gratuities to soldiers wounded in action.

Manchus, Mongols followers,

(Ch. 518.)

(1°) Regulation of 1644.

Manchu bannermen

In the case of Manchu banner soldiers wounded in action the gratuities are to be awarded as follows:

1st class wound*	Rs	50
2nd " "	"	40
3rd " "	"	30
4th " "	"	20
5th " "	"	10

In the case of those wounded by a spent cannon ball (lit. cannon from afar) the gratuities to be reduced Rs 10 for the four first classes of wounds and Rs 5 for the fifth.

In

* Wounds are classified according to length time required for recovery. A specified time is assigned for recovery of each class. See Reg 1707 h

In the case of wounded Manchu or Mongol followers, the gratuities are fixed as follows:

1st class wound	Rs.	30
2nd " "	"	20
3rd " "	"	10
4th " "	"	5
5th " "	"	2.5

All non-combatant (? lit. non-cuirassed) tung-chih of the different tribes as well as Manchu followers and Chinese wearing cotton cuirasses (?) are assimilated to foot soldiers. If their wounds have been made by spent cannon shot Rs 10 to be deducted from sum awarded for 1st and 2nd class wounds and for 3rd class wounds

wounds Rs 10 will be given and for 4th class Rs 5.

Wounds occasioned by gunpowder explosions caused by the enemy's artillery are assimilated to wounds received by followers (see above).

Chinese followers

In the case of Chinese followers the gratuities are as follows:

1st class	wound	Rs 21
2nd	"	" 14
3rd	"	" 7
4th	"	" 4
5th	"	" 2

Wounds received by spent cannon shot on same scale.

Soldiers crippled by wounds

In the case of soldiers crippled by wounds received in

in campaign, gratuities half those for men killed in action.

If they have lost the use of both eyes, or of both hands or feet or have been made dumb, besides the half gratuity awarded in the case of men killed in action they will be given Rs 30. If they have lost a hand or a leg they will receive an extra reward of Rs 20.

If they have lost an eye or both by a wound or if they cannot make use of a leg or a hand or if they have been made deaf, they will receive an extra gratuity of Rs 10. If one or two fingers

are

are maimed so that they can with difficulty draw the bow, or if they have a lame leg or have had half their teeth knocked out so that they cannot speak distinctly they will be awarded gratuities as laid down for men killed in action but half-less.

If they have received a wound in one or two fingers or in the leg without laming it, or lost three or four toes by a wound, or have been made deaf in one ear, they will receive half the amount to be given men mentioned in preceding paragraph (i.e

one

one fourth the gratuity of paragraph one).

In all cases the case must be reported hierarchically to the Board of War.

linese (2°) Regulation of 1653.
rinciae
es (Green
nner Corps)

In the case of soldiers belonging to the Green Banner Corps being wounded, the gratuities are as follows:

1st	class wound	Tls 10
2nd	" "	" 8
3rd	" "	" 7
4th	" "	" 6
5th	" "	" 5

w scale (3°) Regulation of 1664.
ratuities
Green
nner Corps

Gratuities fixed as follows (No specification of corps but probably refers to Green Banner Corps)

1st

1st class wound. Rs 25.
2nd " " " 20.
3rd " " " 15
4th " " " 10
5th " " " 5

Gratuities allowed by Reg. 1664 increased

(4°) Regulation of 1670.

Gratuities to be awarded green banner soldiers.

1st class wound Rs 30
2nd " " " 25
3rd " " " 20
4th " " " 15
5th " " " 10

Re-classification of wounds, New scale of gratuities 4th & 5th classes abolished.

(5°) Regulation of 1707.

Heretofore soldiers wounded in a campaign have been devided into five classes according to length of time assigned for recovery; hereafter

wounded

wounded men of the three first classes are to be decided into two kinds, those receiving within the limit of time (cheng hsien) and those exceeding the limit (yü hsien); 4th and 5th class wounds are no longer recognized.

In the case of all soldiers exceeding the limit of time and who die of their wounds, the class of the wound will be taken in account and if deceased was a Manchu bannerman and had received a first class wound, a gratuity will be given (his family) of Hs 50, if a second class wound Hs 40 and if a 3rd class

class wound Rs 30. If deceased was a green banner man a gratuity of Rs 30 will be given if the wound was a first class one, Rs 25 if a second class one and Rs 20 if a third class one.

Regulations of the Board of War (Chap. 519).

Gratuities to officers and soldiers who have been disabled and retired.

(1) A regulation was established in the Shun chih reign (1644-1662) by which in the case of military officers belonging to one of the eight Manchu banner corps who were aged 60 years and over and who were no longer able to discharge official duties, the Board was to inquire into the number of years during which they had served, what was their salaries (before retirement) and where they had served. The Board was after this to request

Manchu banner officers retired 60 etc.

request the Throne to confer on them (as pension) half the salary (of the position which they had last held). No retirement was to be allowed before 60 years.

Nothing was to be allowed Captains in the Imperial household and Captains having been employed in Princes and Dukes households (who were retired under the above conditions of age) and whose sons were discharging the duties of offices held by inheritance.

Crippled soldiers to be employed by Government

(2°) Imperial decree issued in the 32nd year of Kánghsi (1693).

Soldiers who have been permanently disabled through wounds

wounds, although having received half the gratuity granted (to the family of) those killed in action, subsist with difficulty, not receiving any regular pay (or rations). Although they may no longer be able to draw a bow, they can move about, let them, therefore, be used to fill vacancies arising among the guards of the Nan Yüan*, the treasuries, granaries, etc. Those who have heretofore held the rank of 1st Lieutenant in the banner corps (Ku chi hsiao) or 2nd Lieutenant in the same corps (Hsiao chi hsiao) are to be given vacancies occurring in the different branches of the Imperial Stud.

* An Imperial Park south of Peking usually called Nan-hai-tzu.

Officer requesting to be retired on account of chronic disease.

(3°) In the 2nd year of Chien lung (1737) the Board of War made the following rule. In the case of officers requesting to be retired on account of chronic disease the Board will examine if they have seen active service and received any wounds, in which case it will give the applicant a good service medal (Kung-pai)*, and will petition the Throne to confer on him his original rank with retirement together with full pay (for life).

In case the applicant has seen active service but has not been engaged in action, the Board will give him no good service medal, but will petition

* Kung-pai An oblong plate of thin silver having the character 賞 shang (reward) embossed upon it. See Mayers op. cit. p 68.

petition the Throne to confer on him his original rank with retirement together with half pay (for life).

Allowances discharged Manchu Bannermen soldiers.

(4°) The same year (1737) the Board was allowed to rule as follows.

In the case of Manchu bannermen soldiers who have received rewards for good service while with the army and who later on have been discharged on account of disease, or severe wounds, or because they were over 60 years of age, their Lieutenant-Generals (Jiangjun) will have careful inquiries made about their services and, without taking into consideration any property they

they may have or the fact of sons and grandsons drawing pay (as bannermen) they will give them a monthly allowance of one ounce of silver and one hu* of rice as a means of support. If the soldier has been in active service but has been in no engagement and received no reward for good service, the Lieut.-Gen. must carefully inquire into his case and, if he has no abode or property, no sons or grandsons drawing pay (as bannermen) and no means of gaining a livelyhood, he will allow him one ounce of silver a month as a means of support.

* one hu = about 66⅔ lbs.

In

In case a bannerman makes a false return of his services and his present condition he will be punished with one hundred lashes and the different officers who have forwarded the statement will punished by deprivation of pay for stated periods.

Bannermen forming part of the permanent garrisons in Manchuria (and coming into the class mentioned in the preceding paragraph) will receive one ounce of silver a month but no rice.

Allowance discharged bannermen (5°) The same year (1737) the Board made the following regulation: -

In

In the case of soldiers who belong to the Chinese provincial forces (Lü ying) who have seen active service and have been diligent, and who later on have been discharged on account of age, if such men have no sons or grandsons receiving pay, the Governor-General and the Governor (of the province where the veteran resides) having carefully investigated his case and having found that he is absolutely without means of support will report the matter to the Board (of War) which will grant him a (monthly) allowance of one ration of rice.

Pensions to wives and children of Manchus banishemen.

(6°) The Board made the same

same year the following ruling:-

In the case of wives and children of Manchu bannermen who have been killed in action or who have died of their wounds, and who are without means of support, the Colonel, Captain and Lieutenant (of the corps to which the man belonged) will report the matter to the Lieut. General and he to the Board of War which is authorized to make them a monthly allowance of ½ ration in rice and ½ regular monthly pay.

In case the report made of the case is ascertained to be

be false, the Captain and Lieutenant are to be punished by deprivation of pay for three months, the Colonel for two months, the Lieut: General and Deputy Lieut: General by deprivation of one month's pay.

Soldiers leaving young son, aged parents or wife without children.

(7°) Regulation of 1737.

In the case of soldiers having belonged to the Chinese provincial forces (Green-banner corps) who, after having distinguished themselves in the field have died, leaving their (eldest) son or younger brother so young and weak that he cannot enter the ranks, he will receive 0.5 taels a month. If he has left aged

aged parents or a wife without children an allowance of 3 pecks (tou) of rice a month will be given them.

(89) Regulation of 1742.

In the case of high officers of the 1st and 2nd class, whether belonging to the inner or outer divisions of the (Manchu) banner corps*, who, on account of chronic disease have themselves requested to be retired, the Emperor will have them retired with full rank. The General of the banner (to which the retiring officer belonged) will inquire into his past services, years of service etc., and will recommend to the Throne that he be granted full

* Each Manchu and Mongol banner is divided into a nei chi and a wai chi i.e an inner and an outer division. The inner division is composed of so-called has-i (see p. 9) Mayers op. cit. 51.

full pay or half pay (as the case may be).

Officers retired by order of the Board.

If the officer does not himself make the application for retirement to the Throne, he will be given by Imperial command his full rank on retirement but no pay will be allowed him.

Officers of 3rd Class & lower retired. See § 14 Reg 1794.

In the case of officers from the 3rd class down belonging to either the Inner or Outer divisions of the (Manchu) banner corps and who have reached at least 60 years of age requesting retirement on account of chronic disease, if they have formerly received wounds in action and have been given a good service medal

medal (Kung p'ai), the Board will request the Throne to retire him with full rank and full pay. If he has been in active service but has assisted at no action and received no good service medal, it will request the Throne to grant him full rank on retirement and half-pay.

If the applicant is aged 50 years or over and asks for retirement on the plea of chronic disease and if he has been in action and has received a good service medal he may be retired with full rank and half pay as the Throne may decide.

If the applicant has been in a campaign but has assisted at no action and has received no good service medal, he may be retired with full rank but no pay.

If the applicant asks to be retired at exactly 40 or thereabouts, although he has been in action and received a good service medal he will be retired with full rank but no pay.

Manchu bannermen who have been officers in the Chinese provincial forces and who, on retirement, have returned to their banners are assimilated to those in preceding paragraph.

(9°) Regulation of 1742.

In the case of subaltern officers from the rank of 2nd class Captain down (who belong to the Manchu banners) who on account of chronic disease ask to be retired, the Governor-General, Governor or Brigadier-General will report in detail to the Board of War as to whether the applicant has seen active service and whether he has distinguished himself and he may be retired and his (eldest) son or younger brother may enter the corps and receive pay. If he has neither son nor younger brother he may be allowed one full ration (a month)

(a month) as a means of subsistence.

Pension to soldiers of Green banner corps who have distinguished themselves.

(10°). Regulation of 1764.

In the case of soldiers belonging to the Chinese provincial forces (Green banner) who have distinguished themselves in a campaign and who on account of wounds or disease have been disabled, or who have been discharged on account of age, the Governor-General or Governor will inquire if they have a son receiving pay in the corps, in which case he will receive a monthly allowance of 3 pecks (tou) of rice. If he has no son in the corps he will receive one full ration of rice from the day of

of his discharge.

(11°) Regulation of same year.

In the case of soldiers killed in action or dying of disease among whose sons or brothers there happens to be one who, on education, proves very gifted, he may take deceased's place for his extra rations (ming liang).

If his son or younger brother is too young to draw rations he will be allowed 5/10 ounce of silver and 3 pecks (tou) of rice monthly for all full (i.e., 30 days) months, and intercalary months.

The son or younger brother, any time after the age of 16, may fill deceased's place in the

the corps and draw regular pay, in which case the pension stops.

If deceased left no son or younger brother, the pension will cease with decease of his wife.

Manchu bannermen in Green banner corps

(12°) Regulation of 1784.

In the case of Manchu bannermen or men belonging to the Chinese provincial forces dying from wounds received in action and leaving wives or sons without means of subsistence, they will receive a pension of one half pay and one half ration (of deceased). If deceased has been reported missing (i.e. cause of death not ascertained)

ascertained) the pension to wife or son will be one quarter the gratuity granted for those of his rank killed in action.

(139) Regulation of same year

(1784). Lieutenants, Sergeants and Corporals (belonging to the Green banner corps) who have received wounds in action and who have been retired at their request or by order will receive the full rations of a foot soldier.

Officers of the rank of 2nd class Captain and above mentioned are assimilated to those of similar rank in the Manchu banner corps, receiving when 60 years and upwards

full

full pay, when at least 50 years half pay. In all cases the Governor-General or Governor will enquire into the case and report in detail to the Board of war for its action.

Officers of 3rd class and below retiring on account of chronic disease etc. with destinguished services etc.

(14°) Regulation of 1794.

In the case of officers of the 3rd class and below belonging to the Inner or Outer division of the Banner Corps requesting to be retired on account of chronic disease, if they have killed and captured rebels and received wounds and are at least 60 years of age, the Board will petition the Throne to allow them full pay or half pay if they are 50 years of age.

In

In the case of those of the above class who have been employed against rebels but have not received wounds, or of those who, having been in a campaign, ~~but~~ but in no action, have nevertheless received a good service medal, or of those who have been in at least three campaigns but in no action, if at least 60 years of age, the Board will memorialize the Throne to know whether half pay may be given them, or if at least 55 years of age, ~~whether~~ one quarter pay. All may be retired with full rank.

In the case of officers belonging

belonging to the above categories who have been on one or two campaigns but in no action and have received no good service medal, they can be retired with full rank but no pay.

(The above regulation was altered by Imperial decree in 1799 so as to read: "In case an officer has killed and captured rebels and has received wounds and is 50 years of age or over, he may be retired by Imperial command on full pay.

If he has been on two or three campaigns but in no action and has not received

a

a good service medal although aged 60, he will be retired with full rank but no pay.")

(15°) Regulation of same year. (1794)

In the case of Manchu banner officers (subaltems) filling vacancies in green banner battalions who request to be retired on account of disease, if they are not more than 50 years old and have been in action, wounded and in receipt of a good service medal, their cases having been inquired into, in case they have no son or any property real or personal, they may be allowed the (full) pay of a cavalry soldier.

(16°)

Manchu banner soldiers with distinguished services.

(16) Regulation of 1800.

In the case of soldiers of the Manchu banner corps who have been deserving in the field, who have been discharged on account of disease and who are at least 50 years of age, the general officer in command will report to the Board of War on their service and the latter may, in view of their importance, memorialize the Throne that support be given them.

Provincial Commander or Brigade of Green

If the discharged man is not 50 and has applied for his discharge on account of disease and should he have distinguished himself while

while in the service, the general officer in command will ascertain whether the man is without a home or a son, in which case he will be allowed Rs 1.0.0. a month. If, however, he has a son drawing pay (in the corps) he will not be pensioned.

Provincial commander-in-chief Brigadier-general Green banner corps.

(17°) Regulation of 1801.

In the case of Provincial Commanders-in-chief* or Brigadier-Generals belonging to the Green Banner corps requesting to be retired on account of chronic disease, they will be assimilated to officers of the 1st and 2nd classes of the Manchu banner forces

(See

* See ex. gr. Peking Gaz. 13. K. H. 5th month 15 day (July 6th). Decree retiring Kuang Wu-hsien, Ti-tu Yunnan on full pay.

(See 8° Reg. 1742).

Officers from rank of Colonel to 2nd class Captain

Officers of the Green banner Corps from the rank of Colonel to that of 2nd class Captain inclusively asking to be retired on account of chronic disease may be retired with full rank. If they have received wounds in action and, putting aside the question of having killed and captured rebels, if they are at least 60 years of age, the Board will petition the Throne that they be allowed full pay, or half pay if they are aged 50 at least. But should the applicants belonging to the last named class have been in action, killed and

captured

captured rebels and received wounds, it will petition for full pay to be given them.

(18°) Regulation of 1801.

Officers with distinguished services without family asking retire before age of 50.

Officers of either the Inner or Outer divisions of the Manchu banner corps who have distinguished themselves in a campaign asking to be retired before the age of 50, if they have no son or any property real or personal, they will be allowed the rations* of a cavalry soldier as a means of support.

(19°) Regulation of 1801.

Officers of rank of 2nd class Captain and above resigning on account of chronic disease.

Officers from the rank of 2nd class Captain and above (?) who ask for retirement on account

* Throughout this paper by "ration" must be understood money or rice, generally both.

account of chronic disease and who have formerly distinguished themselves in a campaign; if they are 50 years are more but have no wounds, they can have no pension, nor can they if they are not 50, although they have received wounds in action. But in case the Governor. Gen. Governor or Brigadier. Gen. ascertains that any such officers have no property, their sons or younger brothers may enter the ranks and draw pay. If they have neither son nor younger brother they will be given full rations as a means of subsistence.

20°

(20°) Regulation of 1801.

In the case of Lieutenants and non-commissioned officers who have been in action and have contracted chronic disease from wounds or have been enfeebled by age so that they can no longer handle the bow and a lance and are unable to drill, the Governor-General or Governor having previously asked for them to be put in forced retirement, the Governor-General or Governor will ascertain if they have any means of subsistence or a son drawing pay in the corps and, in case they have not, they will be

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also § 22
of 1806.

be allowed full rations as a means of subsistence.

Special pension for officers who have received at least three wounds.

(21°) Regulation of 1805.

As a special act of grace officers who have been forced to retire and who have received at least three wounds will be allowed half pay irrespective of age.

Those asking to be retired at less than 50 years of age and who have received at least three wounds in action are assimilated to those put in forced retirement (i.e. will receive half pay).

Lieutenants and non-commissioned officers who have been discharged or dismissed and who have received

received at least three wounds will receive the rations (or pay) of at foot-soldier, irrespective of age.

Special provision for crippled soldiers

Soldiers who have received wounds and contracted diseases (thereby) which have crippled them will receive rations for support (shou liang) whether they be 50 years old or not.

(22) Regulation of 1806.

Special provision for officers from the rank of Colonel to that of second class captain, who have received at least three wounds.

In the case of officers from the rank of Colonel to that of 2nd class Captain, inclusively, who have received at least three wounds in action, whatever be their age and whether they have been retired

retired at their request or put in forced retirement, the Board of War will petition the Throne to give them half pay.

Special provision for Lieut.s & non. commissioned officers who have at least three wounds.

Lieutenants and non-commissioned officers belonging to the class described in Paragraph 20 and who have received at least three wounds in action are, irrespective of their age, allowed a foot-soldiers pay on retirement.

DEPARTMENT OF STATE
SEP 3 1887
RECEIVED.

Mr Williams

Acted upon & filed

No. 416.

Legation of the United States.

Peking, July 24, 1887.

Mr Denby to the

Secretary of State

Subject

Reply to circular of April 15th last.

One enclosure.

No 416.

Legation of the United States.

Peking July 24th 1887.

To the Honorable

Thomas F. Bayard

Secretary of States

Washington. D. C.

Sir:

I have the honor to
enclose herewith the answer
of the Tsung-li Yamên to my
request that they would
furnish a statement of the
pay of the Officers and soldiers
of the Chinese Army.

This request was made
in obedience to your circular
of date April 15th, 1887.

The

1/416

The Yamen professes inability to furnish the information desired.

I have directed the Interpreter of the Legation to procure, if possible, this information from the books which are accessible and will transmit it at the earliest possible moment.

I have the honor to be,

Sir,

Your obedient servant,

Charles Denby

Enclosure.

1. Tsung-li Yamên to Mr. Denby. dated July 22 1887.

Translation. Enclosure 1.

Informal.

Peking, July 22d, 1887.

The Foreign Office
to Mr. Denby

Your Excellency:—

Some time ago, the Prince and Ministers had the honor to receive a note from Your Excellency, to the effect that the Paymaster-General of the United States wished to compile a comparative table of the pay and allowances of troops of the army of the United States with those of Foreign Countries. Your Excellency stated that you would be

first obliged by the Yamên furnishing you with the desired information (concerning pay, etc: of Chinese troops) etc:

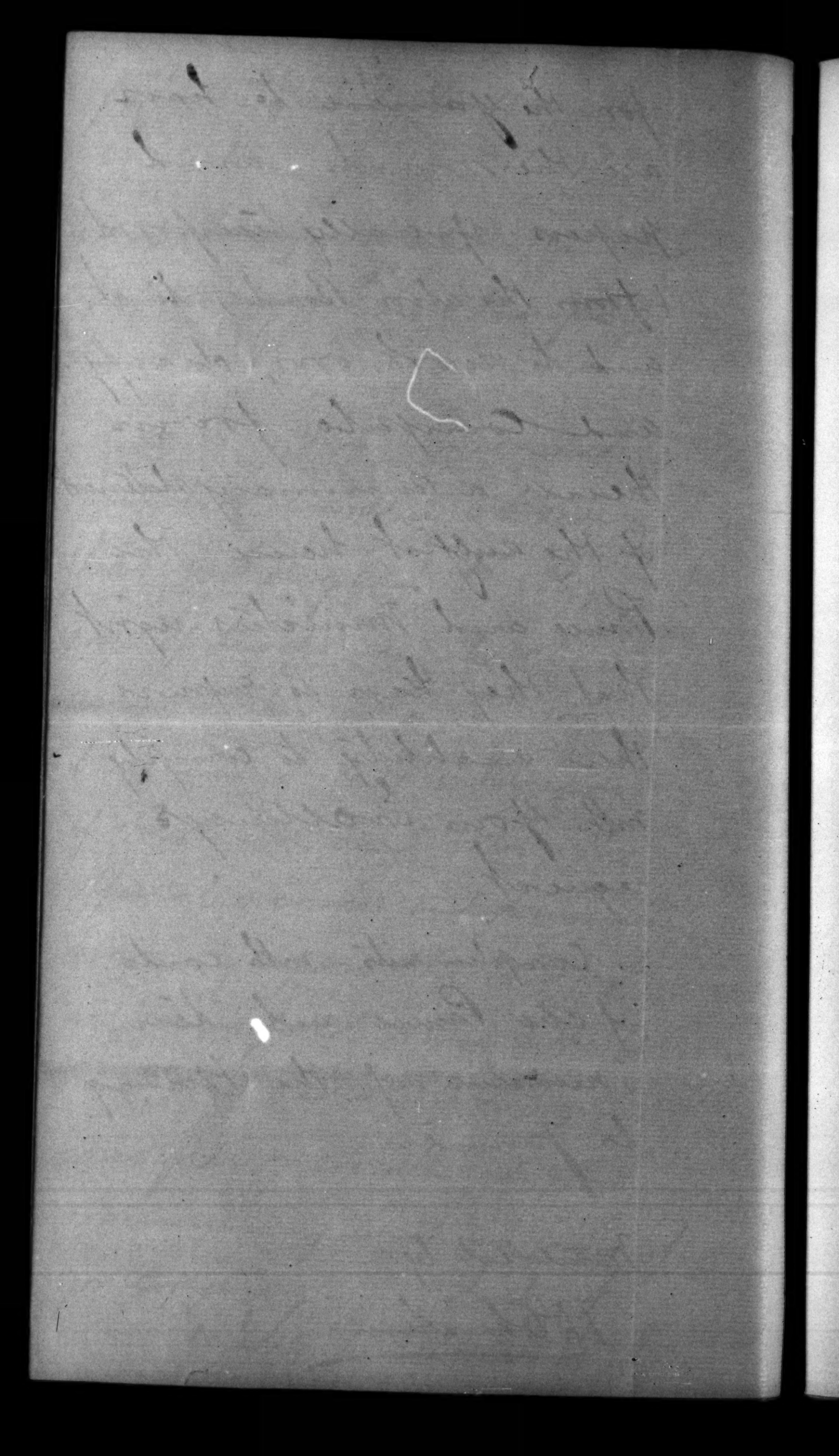
In reply, the Prince and Ministers would observe that, with regard to the pay of troops (in the Chinese Army) this is a matter belonging to the Boards of Revenue and War. The official records and documents bearing upon the subject are manifold; and hitherto there has never been an abridged or condensed form, or summary written, convenient for copying. And it would also be inconvenient

for

for the Yamen to have
all the words and
papers specially transfered
(from the above Board) to it,
and to work over, classify,
and Compile from
them, a summary statement
of the subject; hence the
Prince and Ministers regret
that they have to express
their inability to comply
with Your Excellency's
request.

Compliments, with cards
of the Prince and Ten
Ministers of the Tsung
li Yamen.

Translated by
W. D. Cheshire.



Mr Williams

No 417. — One enclosure.



Legation of the United States.

Peking, July 26th, 1887.

Wm. Charles Denby.

to the

Secretary of State

Subject.

Duplicate Salary Account, Second Quarter 1887.

No 417. one enclosure.

Legation of the United States.
Peking, July 26th, 1887.

Honorable Thomas F. Bayard.
Secretary of State.
Washington.

Sir:—

I have the honor to hand
417. you enclosed duplicate statement
of my salary account for the
quarter ended the 30th of June
1887.

I have the honor to be,
sir,
Your obedient servant

Charles Denby

Enclosure 1.
duplicate statement as above.

No 418. File Mr Williams one enclosure.

DEPARTMENT OF STATE
SEP 3 1887
RECEIVED.

Legation of the United States.
Peking, July 26th, 1887.

Mr. Charles Denby
to the
Secretary of State
Subject
Duplicate account
for Contingent Expenses
for Second Quarter
1887.

No 418. One enclosure.

Legation of the United States.
Peking, July 26th, 1887.

Honorable Thomas. F. Bayard.
Secretary of State.
Washington.

Sir:—

I have the honor to hand
418. you enclosed duplicate statement
of the account for Contingent
Expenses of this Legation for
the Quarter Ended the 30th of
June 1887.

I have the honor to be,
Sir,
Your Obedient Servant
Charles Denby

Enclosure 1.
Duplicate statement as above.

Mr. Williams

No 419. File / one enclosure.



Legation of the United States.

Peking, July 26th, 1887

Mr. Charles Denby.

to the

Secretary of State

Subject

Duplicate Rent Account

Second Quarter 1887.

No. 419. One enclosure.

Legation of the United States.
Peking, July 26th, 1887.

Honorable Thomas. F. Bayard.
Secretary of State
Washington.

Sir:—

I have the honor to hand
419. you enclosed duplicate statement
of the Rent account of this
Legation for the quarter ended
the 30th of June 1887.

I have the honor to be,
Sir,
Your obedient servant
Charles Denby

Enclosure 1.

Duplicate statement of Rent account
as above.

No 420. File Mr Williams
One enclosure.

DEPARTMENT OF STATE
SEP 3 1887
RECEIVED.

Legation of the United States.
Peking, July 26th, 1887.

W. Rhodes Dudley
to the
Secretary of State
Subject.

Duplicate account
Hourly Exchange
Second Quarter 1887.

No 420. One enclosure.

Legation of the United States.
Peking, July 26th, 1887.

Honorable Thomas. F. Bayard.
Secretary of State.
Washington.

Sir:—

I have the honor to hand
420. you enclosed duplicate statement
of my account for bonus
by Exchange for the second
Quarter 1887.

I have the honor to be,
Sir,
Your obedient servant
Charles Denby

A. L. S.

Enclosure 1.
Duplicate statement as above.

DEPARTMENT OF STATE
SEP 3 1887
RECEIVED.

No. 421. ✓ Wilson. Inc. 1. Despatch Sept. 8. 1887 Custer. ✓ Acted. Sept. 8. Custer. Mr. Norman

Legation of the United States.

Peking July 27 1887.

Mr. Denby to the

Secretary of State

Subject

Reply of Yamên in re Chicago Military Encampment.

One enclosure.

No. 421.

Legation of the United States.
Peking, July 27th 1887.

To the Honorable
Thomas F. Bayard
Secretary of State
Washington, D.C.

Sir:

I have the honor to enclose the answer of the Tsungli Yamên to my invitation to send a military company to Chicago.

The Yamên declines in very courteous phrase to accept the invitation and desires the circumstances to be explained to you.

I

I would be obliged if a copy of the enclosure were sent to the President of the International Encampment Association.

I have the honor to be,

Sir,

Your obedient servant.

Charles Denby

Enclosure.

1. Tung-li Yamên to Mr. Denby &c dated July 26th 1887.

Translation.

Inclosure. Enclosure 1.

Peking, July 26th, 1887.

The Foreign Office
to Mr. Sturley.

Your Excellency:—

The Ministers, some days ago, had the honor to write a note from Your Excellency, stating that you had received a communication from an Association of citizens of the City of Chicago, in the State of Illinois, United States of America, to effect that there would be held in that city october 1st to october 20th 1887, an International Military Encampment; that all the nations of the world have been requested by this association

association to send a
military organization to take
part in the pageant, the object
being to commemorate the 50th
Anniversary of the city of Chicago,
and to make an era of gladness,
peace and goodwill among
the nations. You further
stated that you had been
requested by this Association
to tender to the Imperial
Government a cordial invitation
to send a military company,
to take part in the jubilee, and
that the Secretary of State had
sanctioned the exercise of
this courtesy on your part, &c.
In reply, the Ministers would
state that the holding of
an International Military
Encampment is a praiseworthy
and laudable act on the
part

part of your Country, but as China is a long distance from the United States, the sending of a military representation would be attended by many inconveniences. The Ministers are therefore obliged to express their extreme dissatisfaction at China not being able to accept the invitation extended by Your Excellency to be represented at the said Military Encampment. They will feel obliged by your Excellency courteously explaining the circumstances to the Honorable Secretary of State.

Compliments with cards of ten Ministers of the Tsungli Yamen.

translated by
W. D. Cheshire.

Mr Williams

Separate. File one enclosure.



Legation of the United States.

Peking, July 29th, 1887.

Mr. F. D. Chester

to the

Secretary of State

Subject.

Salary Account

Second Quarter

1887.

— --- —

Separate. One enclosure.

Legation of the United States.
Peking, July 29th, 1887.

Honorable Thomas F. Bayard.
Secretary of State.
Washington.

Sir:—

I have the honor to hand you enclosed duplicate statement of my Salary Account for the second Quarter 1887.

I have the honor to be,
Sir,
Your obedient Servant
F. D. Chester.
Interpreter of Legation

Enclosure 1.
Duplicate statement
as above.

DEPARTMENT OF STATE
SEP 3 1887
RECEIVED.

Copy F.R. 1887

No. 422. Ind. Dft. 13 Dec. Asst. Sec'y Sept 5 By
Customs M Williams

Legation of the United States.
Peking July 29th 1887.

Mr. Denby to the
Secretary of State

Subject.
Lekin tax on kerosene oil
at Canton.

Synopsis
Mr. Denby advises Department
of a reduction on above tax
from one dollar thirty cents
to fifty cents per case.

No. 422.

Legation of the United States.
Peking, July 29th. 1887.

To the Honorable
Thomas F. Bayard,
Secretary of State,
Washington, D.C.

Sir:

I have, heretofore, in despatches numbered 322 and 385 of date Feb. 25, June 13th. last respectively, reported to you my efforts in communications to the Tsung-li Yamên to secure a reduction of the lekin tax on kerosene oil at Canton.

I also in despatch No. 385

of

of date June 13th last sent you a copy of the Yamên's reply to my communication.

I have now the pleasure to report that Mr. Seymour has informed me that the kerosene lekin tax at Canton has been reduced from one dollar thirty cents to fifty cents per case.

Credit should be accorded to Mr. Seymour for his labors in this direction.

I have the honor to be,

Sir,

Your obedient servant,

Charles Denby

Mr. Rockhill

DEPARTMENT OF STATE
SEP 3 1887
RECEIVED

One Inclosure

Legation of the United States,
Peking, July 30, 1887.

Mr. W. W. Rockhill
to the
Secretary of State

Subject

Acknowledges despatch of June 6th.
Can furnish no vouchers for
expenses while in Korea. Account
for transit back to post at Peking.

/ One Inclosure

Legation of the United States,
Peking, July 30, 1887.

The Honorable
Thomas F. Bayard
Secretary of State
Washington D.C.

Sir,

I have the honor to acknowledge the receipt of your despatch of June 6th last by which you are pleased to inform me that for the period during which I was in charge of the legation at Söul I am to draw my salary as Secretary of legation plus my actual

Korean

Korean expenses upon rendering an account supported by vouchers, when practicable.

I beg to state in reply that never having been in the habit of keeping any private accounts, and in this special case anticipating that Section 1686 of the Revised Statutes and paragraphs 211 and 213 of the Diplomatic instructions were strictly applicable to my case, I kept no record of my expenditures.

For the period extending from the day on which I handed over the legation to Mr. Dinsmore until I reached Peking, the expenses which I incurred for travelling

travelling, must have been the same as when going from Peking to Söul. In my despatch of December 13, 1886 I furnished an itemized statement of these expenses amounting to $57.54, but on the return voyage to Peking, for the reasons stated above, I took no receipts nor asked for any vouchers.

In obedience, however, to your instructions, I have the honor to enclose herewith an account for transit from Söul to Peking amounting to $57.54 supported by my personal voucher.

I have the honor to be,
Sir,
Very respectfully your obedient servant,
W. W. Rockhill